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BUREAU OF CONSUMER FINANCIAL PROTECTION

12 CFR Part 1005

Electronic Fund Transfers (Regulation E)

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Final rule; correcting amendments.

SUMMARY: The Bureau of Consumer Financial Protection (Bureau) is making certain clerical and non-substantive corrections to errors it has identified in Regulation E, which implements the Electronic Fund Transfer Act.

DATES: This correction is effective on November 14, 2016.

FOR FURTHER INFORMATION CONTACT: Jane Raso, Counsel; Kristine M. Andreassen and Eric Goldberg, Senior Counsels, Office of Regulations, at (202) 435–7700.

SUPPLEMENTARY INFORMATION:

I. Overview

Regulation E, which implements the Electronic Fund Transfer Act,[1] and the official interpretations to the regulation are codified in 12 CFR part 1005.[2] Regulation E provides comprehensive consumer protections for consumers using electronic fund transfer and remittance transfer systems. Current Regulation E inadvertently contains several errors, as described below. The Bureau is publishing this final rule to correct these errors. No substantive change is intended by the corrections herein.

Subpart A

Section 1005.7 Initial Disclosures. Section 1005.7(b)(11) in 12 CFR part 1005 cross-references the definition of an ''automated teller machine operator'' as defined in ''§ 1005.16(a)(1).'' This is a clerical error, as there is no such paragraph in § 1005.16. The definition of ''automated teller machine operator'' is set forth in § 1005.16(a). Accordingly, this final rule corrects the erroneous cross reference in § 1005.7(b)(11) by changing it from § 1005.16(a)(1) to § 1005.16(a).

Subpart B

Model form for error resolution and cancellation disclosures (short). Model Form A–37 in appendix A to part 1005 sets forth language about the rights of a remittance transfer sender regarding error resolution and cancellation. Pursuant to § 1005.31(b)(2)(vi), it should contain language that informs a sender that the sender can contact the State agency that licenses or charters a remittance transfer provider and the Bureau for questions or complaints about the remittance transfer provider.[3] However, the model form that was adopted only included this language in part. To correct this clerical error, Model Form A–37 is amended so that it now contains the disclosure required by § 1005.31(b)(2)(vi) in its entirety. The Bureau notes that other model forms in subpart B that contain the statement required by § 1005.31(b)(2)(vi) accurately reflect the statement.

Official interpretation to § 1005.33(a) and (g). Section 1005.33(a)(1)(iv) provides that a remittance transfer provider's failure to make funds available to a designated recipient by the date of availability disclosed to the sender is an error unless an exception applies. One such exception, set forth in § 1005.33(a)(1)(iv)(D), is if the failure to make funds available is due to the sender having provided the remittance transfer provider with an incorrect account number for the designated recipient's account and the remittance transfer provider has met the conditions set forth in § 1005.33(h). Comment 33(a)–9 explains the application of § 1005.33(a)(1)(iv)(D). However, it erroneously cross-references § 1005.30(h)(2) when it should have crossed-referenced § 1005.33(a)(1)(iv)(D). This final rule corrects this error by removing the erroneous cross reference to § 1005.30(h)(2) and replacing it with the correct cross reference to § 1005.33(a)(1)(iv)(D). Additionally, comment 33(g)–1 contains a cross reference to the requirement set forth in the regulation that remittance transfer providers are subject to § 1005.13's record retention requirements. However, instead of cross-referencing § 1005.33(g)(2), where this requirement resides, the comment cross-references § 1005.31(g)(2). This final rule corrects the erroneous cross reference in comment 33(g)–1 by changing it from § 1005.31(g)(2) to § 1005.33(g)(2).

Official interpretation to § 1005.36. Currently, there are two section headings in the commentary to § 1005.36 (Transfers Scheduled before the Date of Transfer). The existence of two separate headings for the commentary to § 1005.36 is a clerical error. Further, one of the headings is different from the heading of § 1005.36 in the regulatory text. This final rule removes the erroneous heading so that the heading that remains in the commentary to § 1005.36 has the same heading as the heading of § 1005.36 in the regulatory text. Additionally, this final rule moves the commentary set forth under the erroneous heading and places it under the remaining heading.

II. Basis for the Corrections

The Bureau is publishing this technical correction as a final rule that will be effective 30 days after the date of publication in the **Federal Register**. The Bureau finds that there is good cause to publish this final rule without seeking public comment. *See* 5 U.S.C. 553(b)(3)(B). Public comment is unnecessary because the rule corrects inadvertent, clerical errors about which there is minimal, if any, basis for substantive disagreement.

List of Subjects in 12 CFR Part 1005

Automated teller machines, Banks, Banking, Consumer protection, Credit unions, Electronic fund transfers, National banks, Remittances, Reporting and recordkeeping requirements, Savings associations.

[1] 15 U.S.C. 1693 *et seq.*

[2] Subpart A of Regulation E was originally adopted as 12 CFR part 205 by the Board of Governors of the Federal Reserve System but, upon transfer of authority in the Dodd-Frank Act to implement Regulation E to the Bureau, was renumbered as 12 CFR part 1005. 76 FR 81020 (Dec. 27, 2011).

[3] *See* 77 FR 6193, 6228 (Feb. 12, 2012) (explaining the contents of Model Form A–37).

Authority and Issuance

Accordingly, 12 CFR part 1005 is corrected by making the following correcting amendments:

PART 1005—ELECTRONIC FUND TRANSFERS (REGULATION E)

■ 1. The authority citation for part 1005 is revised to read as follows:

Authority: 12 U.S.C. 5512, 5581; 15 U.S.C. 1693b. Subpart B is also issued under 12 U.S.C. 5601 and 15 U.S.C. 1693o–1.

Subpart A—General

■ 2. Section 1005.7 is amended by revising paragraph (b)(11) to read as follows:

§ 1005.7 Initial disclosures.

* * * * *

(b) * * *

(11) *ATM fees.* A notice that a fee may be imposed by an automated teller machine operator as defined in § 1005.16(a), when the consumer initiates an electronic fund transfer or makes a balance inquiry, and by any network used to complete the transaction.

* * * * *

■ 3. Appendix A to part 1005 is amended by revising Model Form A–37 to read as follows:

Appendix A to Part 1005—Model Disclosure Clauses and Forms

* * * * *

A–37—Model Form for Error Resolution and Cancellation Disclosures (Short) (§ 1005.31(b)(2)(iv) and (b)(2)(vi))

You have a right to dispute errors in your transaction. If you think there is an error, contact us within 180 days at [insert telephone number] or [insert website]. You can also contact us for a written explanation of your rights.

You can cancel for a full refund within 30 minutes of payment, unless the funds have been picked up or deposited.

For questions or complaints about [insert name of remittance transfer provider], contact:

State Regulatory Agency, 800–111–2222, *www.stateregulatoryagency.gov*

Consumer Financial Protection Bureau, 855–411–2372, 855–729–2372 (TTY/TDD), *www.consumerfinance.gov*

* * * * *

■ 4. In *Supplement I to Part 1005—Official Interpretations:*

■ a. Under *Section 1005.33—Procedures for Resolving Errors:*

■ i. In subsection *33(a)—Definition of Error,* paragraph 9 is revised.

■ ii. In subsection *33(g)—Error Resolution Standards and Recordkeeping Requirements,* paragraph 1 is revised.

■ b. The heading *Section 1005.36—Transfers Scheduled in Advance* and paragraph 1 underneath said heading are removed.

■ c. Under *Section 1005.36—Transfers Scheduled before the Date of Transfer,* paragraph 1 is added.

The revisions and additions read as follows:

Supplement I to Part 1005—Official Interpretations

* * * * *

Section 1005.33—Procedures for Resolving Errors

33(a) Definition of Error

* * * * *

9. *Account number or recipient institution identifier.* For purposes of the exception in § 1005.33(a)(1)(iv)(D), the terms account number and recipient institution identifier refer to alphanumerical account or institution identifiers other than names or addresses, such as account numbers, routing numbers, Canadian transit numbers, International Bank Account Numbers (IBANs), Business Identifier Codes (BICs) and other similar account or institution identifiers used to route a transaction. In addition and for purposes of this exception, the term designated recipient's account in § 1005.33(a)(1)(iv)(D) refers to an asset account, regardless of whether it is a consumer asset account, established for any purpose and held by a bank, savings association, credit union, or equivalent institution. A designated recipient's account does not, however, include a credit card, prepaid card, or a virtual account held by an Internet-based or mobile telephone company that is not a bank, savings association, credit union or equivalent institution.

* * * * *

33(g) Error Resolution Standards and Recordkeeping Requirements

1. *Record retention requirements.* As noted in § 1005.33(g)(2), remittance transfer providers are subject to the record retention requirements under § 1005.13. Therefore, remittance transfer providers must retain documentation, including documentation related to error investigations, for a period of not less than two years from the date a notice of error was submitted to the provider or action was required to be taken by the provider. A remittance transfer provider need not maintain records of individual disclosures that it has provided to each sender; it need only retain evidence demonstrating that its procedures reasonably ensure the sender's receipt of required disclosures and documentation.

* * * * *

Section 1005.36—Transfers Scheduled Before the Date of Transfer

1. *Applicability of subpart B.* The requirements set forth in subpart B apply to remittance transfers subject to § 1005.36, to the extent that § 1005.36 does not modify those requirements. For example, the foreign language disclosure requirements in § 1005.31(g) and related commentary continue to apply to disclosures provided in accordance with § 1005.36(a)(2).

* * * * *

Dated: October 3, 2016.

Richard Cordray,

Director, Bureau of Consumer Financial Protection.

[FR Doc. 2016–24506 Filed 10–11–16; 8:45 am]

BILLING CODE 4810–AM–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 734, 740, 742, 744, 772, and 774

[Docket No. 140221170–6403–03]

RIN 0694–AF75

Revisions to the Export Administration Regulations (EAR): Control of Fire Control, Laser, Imaging, and Guidance Equipment the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Final rule.

SUMMARY: This final rule describes how articles the President determines no longer warrant control under Category XII (Fire Control, Laser, Imaging, and Guidance Equipment) of the United States Munitions List (USML) of the International Traffic in Arms Regulations (ITAR) will be controlled under the Commerce Control List (CCL) of the Export Administration Regulations (EAR) by amending Export Control Classification Number (ECCN) 7A611 and creating new ''600 series'' ECCNs 7B611, 7D611, and 7E611. In addition, for certain dual-use infrared detection items, this final rule expands controls for certain software and technology, eliminates the use of some license exceptions, revises licensing policy, and expands license requirements for certain transactions involving military end users or foreign military commodities. This final rule also harmonizes provisions within the EAR by revising controls related to certain quartz rate sensors.

DATES: This rule is effective December 31, 2016.

FOR FURTHER INFORMATION CONTACT: For questions regarding the ECCNs included in this rule, contact Dennis Krepp, Office of National Security and Technology Transfer Controls, Bureau of Industry and Security, Telephone: 202–482–1309, Email:

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SUPPLEMENTARY INFORMATION:

Background

This final rule is part of the Administration's Export Control Reform Initiative (the ''Initiative''), the objective of which is to protect and enhance U.S. national security interests. The Initiative began in August 2009 when President Obama directed the Administration to conduct a broad-based review of the U.S. export control system to identify additional ways to enhance national security. The Department of State's International Traffic in Arms Regulations (ITAR) and its U.S. Munitions List (USML) are being amended to control only the items that provide the United States with a critical military or intelligence advantage or otherwise warrant such controls, and the Export Administration Regulations (EAR) are being amended to control military items that do not warrant USML controls. These changes will enhance national security by (i) improving interoperability of U.S. military forces with allied countries, (ii) strengthening the U.S. industrial base by, among other things, reducing incentives for foreign manufacturers to design out and avoid U.S.-origin content and services, and (iii) allowing export control officials to focus government resources on transactions that pose greater concern.

Pursuant to section 38(f) of the Arms Export Control Act (AECA), the President is obligated to review the USML ''to determine what items, if any, no longer warrant export controls under'' the AECA. The President must report the results of the review to Congress and wait 30 days before removing any such items from the USML. The report must ''describe the nature of any controls to be imposed on that item under any other provision of law.'' 22 U.S.C. 2778(f)(1).

Following the structure set forth in the final rule entitled ''Revisions to the Export Administration Regulations: Initial Implementation of Export Control Reform'' (78 FR 22660, April 16, 2013), BIS published a proposed rule entitled ''Revisions to the Export Administration Regulations (EAR): Control of Fire Control, Range Finder, Optical, and Guidance and Control Equipment the President Determines No Longer Warrant Control Under the United States Munitions List (USML)'' (80 FR 25798, May 5, 2015) (''May 2015 rule''). That proposed rule was published in conjunction with a proposed rule published by the Department of State's Directorate of Defense Trade Controls (DDTC) to propose controls for the ITAR's USML Category XII. After reviewing public comments to the May 2015 rule, BIS published a second proposed rule entitled ''Revisions to the Export Administration Regulations (EAR): Control of Fire Control, Laser, Imaging, and Guidance and Control Equipment the President Determines No Longer Warrant Control Under the United States Munitions List (USML)'' (81 FR 8421) (''February 2016 rule''). This second proposed rule was also published in conjunction with a second proposed rule published by DDTC to propose new controls for USML Category XII.

In response to the February 2016 rule, BIS received twenty public comments. Eleven commenters believed that the February 2016 rule was an improvement over the May 2015 rule, while no commenters believed that the February 2016 rule was worse than the May 2015 rule. The commenters supported the efforts, including the greater use of ''specially designed,'' to reduce controlling items in normal commercial use in USML Category XII or the corresponding 600 series entries in the CCL. Further, many commenters noted that the revisions in the February 2016 rule created a more transparent and predictable structure and reduced confusion and complexity associated with terminology proposed in the May 2015 rule. With the changes made in the February 2016 rule, many commenters believed that the proposals would better balance national security concerns while reflecting technological advancement and the increasing commercial market demand for many items in the laser, photonics, optics, infrared detection, and related industries. Consequently, some commenters stated that the February 2016 rule would help reduce current and future competitive disadvantages for U.S. industry and reduce the incentive to offshore production and research activities.

Some commenters also expressed general concerns regarding the February 2016 rule. Many commenters believed that the increased controls proposed for infrared detection items were still too strict, overly complicated, and not reflective of foreign availability and licensing policies of Wassenaar-member countries and non-Wassenaar countries. To address some of these concerns, BIS is amending some of the proposed controls, as described further herein. Additionally, to address concerns on complexity and increased costs of compliance, especially for small businesses, BIS will continue to conduct extensive outreach to assist organizations in their compliance efforts. A summary of the public comments and changes made to the proposed rule are addressed below.

In this final rule, all references to the USML are to the list of defense articles that are controlled for the purpose of export or temporary import pursuant to the ITAR, and not to the defense articles on the USML that are controlled by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for the purpose of permanent import under its regulations (see 27 CFR part 447). Pursuant to § 38(a)(1) of the AECA, all defense articles controlled for export or import are part of the USML under the AECA. For the sake of clarity, the list of defense articles controlled by ATF for the purpose of permanent import is the United States Munitions Import List (USMIL). The transfer of defense articles from the ITAR's USML to the EAR's CCL for the purpose of export controls does not affect the list of defense articles controlled on the USMIL under the AECA for the purpose of permanent import.

Revisions To Further Harmonize and Simplify the EAR

The February 2016 rule included two proposed changes to harmonize provisions in the EAR—removing controls related to certain QRS–11 sensors and revising license requirements related to certain uncooled thermal imaging cameras. This final rule adopts the proposed changes for QRS–11 sensors but does not adopt the proposed changes for license requirements related to uncooled thermal imaging cameras.

Removal of Controls Specific to QRS–11 Sensors

As described in the February 2016 rule, BIS published a final rule in 2007 to control certain QRS–11 sensors that were previously subject to the ITAR. These sensors were originally designed for military application but began to be used in civil aircraft, which would have required State Department authorization for exports and reexports, as the ITAR does not contain a *de minimis* level or a general exception for controlled content embedded within uncontrolled systems. Since ECR accounts for the movement of items from control on the ITAR to control on the EAR, BIS proposed to remove special controls related to such QRS–11 sensors, including removing the RS Column 1 control and references to such sensors

from ECCN 7A994, the 0% *de minimis* level for such sensors in § 734.4(a)(3), the restriction on the availability of license exceptions for such sensors in § 740.2(a)(9), references to the sensors in ECCNs 7E994 (Related Controls) and 9A991 (License Requirement Notes and Related Controls), and the reference to such sensors in Note 1 to the definition of ''specially designed'' in part 772.

BIS did not receive any public comments on QRS–11 sensors and thus adopts the changes as proposed in this final rule. To the extent that such sensors are not described on the USML (and the agencies do not believe that any of the sensors are described on the revised USML), one would follow the Order of Review in Supplement No. 4 to part 774 to determine whether the sensors may be captured under a 600 series ECCN or under a dual-use ECCN.

Retention of License Requirements and License Exception Eligibility for Certain Uncooled Thermal Imaging Cameras Controlled in ECCN 6A003

The February 2016 rule proposed to revise license requirements and license exception eligibility for certain uncooled thermal imaging cameras. Under the current provisions of § 742.6, the RS Column 1 reason for control in ECCN 6A003 does not apply to exports or reexports to countries in Country Group A:1 if certain uncooled thermal imaging cameras are fully packaged for use as consumer ready civil products or if such cameras with not more than 111,000 elements are to be embedded in civil products by authorized companies. Additionally, paragraph (b) of License Exception APR is available for such cameras when reexported to and among countries in Country Group A:1. In the February 2016 rule, BIS proposed to remove this license requirement and license exception structure (which for ease of reference is described in this rule as an authorization construct). As part of this proposed removal, BIS proposed to make all cameras in ECCN 6A003 subject to an RS1 control, because the agency believed that License Exception STA would be available for such transactions and thus the complexity of this authorization structure was no longer needed.

Two commenters expressed concerns about these proposed changes. One commenter stated that removing this authorization construct for such cameras would put U.S. industry at a competitive disadvantage with respect to companies in the European Union and Japan. The commenter noted that License Exception APR is not available for items exported under License Exception STA, and the commenter pointed out that exports to Mexico for these cameras would now require a license and STA would not be available for such transactions. BIS agrees that there is a distinct difference between this authorization construct and License Exception STA. Consequently, this final rule retains the current provisions in §§ 742.6(a)(2) and (a)(4)(ii), the reporting requirement in § 743.3, endnotes 2 and 4 used in the Commerce Country Chart (Supplement No. 1 to part 738), and the provision in paragraph (b) of License Exception APR for such cameras (see further below for additional revisions to License Exception APR).

Two commenters also recommended revising the scope of RS1 and RS2 controls that apply to ECCN 6A003. One commenter suggested making all 6A003 cameras with a frame rate of less than or equal to 60 Hz subject to RS2 controls in order to harmonize U.S. controls with other Wassenaar countries. In addition, another commenter suggested revising Note 3 to 6A003.b.4.b so that 6A003 does not control imaging cameras with a maximum frame rate equal to or less than 60 Hz and a focal plane array with not more than 328,000 elements. The commenter further noted if that change was not possible, then all items in 6A003 should be subject to an RS2 control rather than RS1 control due to foreign availability for such items and that the industry standard for number of elements has increased to 328,000. At this time, BIS is electing to maintain the current RS1 and RS2 controls for ECCN 6A003. BIS notes that the use of specially designed in USML Category XII reduces the likelihood of the ITAR controlling items in normal commercial use, and this clearer jurisdictional line should greatly benefit industry. That change, coupled with the retention of the authorization construct in § 742.6 for certain uncooled thermal imaging cameras, is sufficient at this time to address the commenters' concerns.

Revisions To Increase Controls for Infrared Detection Items Subject to the EAR

To address the sensitivity of certain dual-use items related to infrared detection capability, the February 2016 rule included proposed restrictions for the export or reexport of several sensors and cameras, and related software and technology, that provide important night vision capability for military use but are also widely used in civil products and applications. This final rule adopts many of those proposals, with changes noted below, by amending §§ 734.4, 740.2, 740.16, 740.20, 742.6, and 744.9 of the EAR. In addition, this final rule adds ECCN 0E987 and revises parts of ECCNs 0A987, 6A002, 6A003, 6A990, 6A993, 6D002, 6D003, 6D991, 6E001, 6E002, and 6E990.

Revisions to End-Use/End-User Controls in § 744.9

Section 744.9 requires a license for the export or reexport to any destination other than Canada for cameras controlled by ECCNs 6A003.b.3, 6A003.b.4.b, or 6A003.b.4.c when the exporter or reexporter knows or is informed that the item is intended to be used by a military end-user or to be incorporated into a military commodity controlled by ECCN 0A919, in addition to other applicable license requirements in the EAR.

The February 2016 rule proposed to revise § 744.9 to require a license for exports, reexports, or transfers (in-country) of commodities controlled by ECCNs 0A987 (incorporating items in ECCNs 6A002 and 6A003, or certain cameras in 6A993.a), 6A002, 6A003, 6A990, 6A993.a (commodities meeting the criterion of Note 3.a to 6A003.b.4), 8A002.d.1.c, and 8A002.d.2, when the exporter, reexporter, or transferor knows or is informed that the item is intended to be used by a military end user or to be incorporated into a military commodity controlled by ECCN 0A919. This final rule adopts these changes to § 744.9 with changes described below.

Three commenters made recommendations to address concerns regarding the proposed expansion of § 744.9. Two commenters requested that 9 Hz cameras in 6A993.a be removed from the scope of § 744.9. They asserted that including 9 Hz cameras would put U.S. companies at a competitive disadvantage since all other countries do not consider them to be dual use. Also, one of the commenters mentioned that adding 9 Hz cameras would greatly increase complexity and burden since such cameras are often low-cost consumer goods available through distributors and retail. Also, the commenter was unaware of any 9 Hz cameras being used in military commodities and recommended focusing § 744.9 only on those commodities that are easily incorporated into other items. BIS notes that while the commenter's 9 Hz cameras may not be ideal for incorporation into a foreign military commodity, the U.S. Government is aware of 9 Hz cameras being used and advertised in foreign military commodities. Also, BIS believes that the end-use and end-user based controls in § 744.9 are sufficiently tailored to have less impact on U.S. companies as one must know or have reason to know that such items will be used by a military

end user or incorporated into a foreign military commodity. However, to further narrow the scope of the control and provide greater clarity, BIS is adding new paragraph (a)(2) to note that the license requirement of § 744.9 does not apply to exports, reexports, or transfers (in-country) when the items described above are being exported, reexported, or transferred as part of a military deployment by a unit of the government of a country in Country Group A:1 (see Supplement No. 1 to part 740). Similar language is currently used in § 742.6(a)(3).

One commenter recommended removing the license requirement based on military end user but maintaining the license requirement based on incorporation into a foreign military commodity. The commenter noted that the control based on military end user can be confusing since the same item being used for the same purpose would not require a license in one scenario (*e.g.,* security camera for a factory) but would require a license in another scenario (*e.g.,* security camera for a military installation). BIS believes that the addition of paragraph (a)(2) will help partially address this concern. However, BIS is maintaining the license requirement based on military end user since it is a defined term, and BIS believes it is appropriate to require a license in such circumstances.

This final rule also makes additional conforming changes to § 744.9. On September 20, 2016, BIS published a final rule (81 FR 64656) revising the CCL to implement changes to the Wassenaar Arrangement's List of Dual-Use Goods and Technologies. As part of these revisions, BIS amended ECCN 8A002 to remove items previously controlled in 8A002.d.1.c and redesignate items previously controlled in 8A002.d.2 as 8A002.d. Since the February 2016 rule proposed that 8A002.d.1.c and d.2 items be subject to the license requirement of § 744.9, this final rule revises § 744.9 to refer to 8A002.d rather than 8A002.d.1.c and d.2. Further, this final rule makes one clarifying change to § 744.9. In order to more accurately describe the scope of the license requirement, this final rule revises the title of § 744.9 to ''[r]estrictions on exports, reexports, and transfers (in-country) of certain cameras, systems, or related components.''

Revisions to ECCN 0A919 and § 734.4 for Foreign Military Commodities

ECCN 0A919 controls ''military commodities'' produced and located outside the United States that are not subject to the ITAR and incorporate one or more cameras controlled under ECCNs 6A003.b.3, 6A003.b.4.b, or 6A003.b.4.c. In addition, ECCN 0A919 controls such ''military commodities'' if they incorporate more than a *de minimis* amount of U.S.-origin 600 series content or are the direct products of U.S.-origin 600 series technology or software.

The February 2016 rule proposed to control the reexport of such military commodities that incorporate a wider group of infrared detection items on the CCL. Thus, the February 2016 rule proposed to re-structure the sub-paragraphs in the Items paragraph in that ECCN and expand 0A919 to control military commodities produced outside the United States that are not subject to the ITAR and incorporate commodities classified under ECCNs 6A002, 6A003, 6A990, or 6A993.a (having a maximum frame rate equal to or less than 9 Hz as and thus meeting the criterion specified in Note 3.a to ECCN 6A003.b.4.b). BIS received no public comments on these changes, and this final rule maintains the proposed expansion of the scope of ECCN 0A919 with the clarification described below.

Section 734.4(a)(5) of the EAR currently provides that there is no *de minimis* level for foreign military commodities, *i.e.,* those described in ECCN 0A919, that incorporate certain infrared detection items. The February 2016 rule proposed to amend the *de minimis* treatment for 0A919 items incorporating infrared detection content to make them consistent with 0A919 items incorporating 600 series content by limiting the 0% *de minimis* level to Country Group D:5 only. BIS received no public comments on this proposed revision. Thus, this final rule amends § 734.4(a)(5) to provide that there is no *de minimis* level for foreign-made military commodities incorporating one or more of the commodities described in ECCN 0A919.a.1 when destined for a country in Country Group D:5. When destined for a country outside of Country Group D:5, such 0A919 commodities would be subject to the 25% *de minimis* threshold. To reflect this change to § 734.4(a)(5), this final rule also revises 0A919.a.1 to clarify that the sub-paragraph captures foreign-made military commodities that ''[i]ncorporate more than a *de minimis* amount of U.S.-origin controlled content classified under ECCNs 6A002, 6A003, 6A990, or 6A993.a (having a maximum frame rate equal to or less than 9 Hz and thus meeting the criterion of Note 3.a to 6A003.b.4).''

Revisions to ECCN 0A987 and Establishment of ECCN 0E987

ECCN 0A987 controls certain optical devices for firearms and related components. The February 2016 rule proposed to revise ECCN 0A987.f to specify that the entry controls laser aiming devices or laser illuminators ''specially designed'' for use on firearms, and having an operational wavelength exceeding 400 nm but not exceeding 710 nm. A proposed note to ECCN 0A987.f further specified that the entry does not control laser boresighting devices that must be placed in the bore or chamber to provide a reference for aligning the firearms sights. BIS received no public comments on these proposed changes and thus adopts them in this final rule.

The February 2016 rule also proposed to revise the Related Controls to refer readers to applicable controls in USML Category XII as well as the proposed license requirement for certain 0A987 items under § 744.9. BIS received no public comments on revisions to the Related Controls. This final rule amends the Related Controls paragraph to reflect revisions in the Department of State's final rule regarding controls for weapons sights to advise that sighting devices using second generation image intensifier tubes having luminous sensitivity greater than 350 μA/lm, or third generation or higher image intensifier tubes, are subject to the ITAR. Moreover, this final rule adds a reference in the Related Controls to riflescopes subject to the ITAR under USML Category I(f). This final rule also retains the reference to the § 744.9 license requirement since that license requirement is being adopted under this final rule.

The February 2016 rule further proposed creating a new ECCN for technology required for the ''development'' or ''production'' of commodities controlled by ECCN 0A987, if such commodities incorporate a focal plane array or image intensifier tube. Such technology would be subject to RS Column 1 and Anti-Terrorism (AT) Column 1 controls. BIS received no public comments on this proposal and thus adopts the establishment of ECCN 0E987 as proposed.

Revisions to ECCN 6A002

ECCN 6A002 controls specified optical sensors or equipment and components therefor. The February 2016 rule proposed to maintain the existing reasons for control and did not include a worldwide RS control that was first proposed in the May 2015 rule. Also, the February 2016 rule proposed

to add a reference to corresponding controls for focal plane arrays, image intensifier tubes, and related parts and components in USML Category XII(e) and a reference to the proposed license requirement in § 744.9. This final rule makes those changes to 6A002, but clarifies that the type of focal plane arrays controlled in Category XII(e) are primarily infrared focal plane arrays. This final rule also adds a reference in the Related Controls to refer readers to space-qualified focal plane arrays subject to the ITAR in USML Category XV(e) to help readers understand the potential jurisdiction of various types of focal plane arrays. Additional limitations on the use of license exceptions for 6A002 items are addressed further herein.

BIS received five public comments on proposed changes to ECCN 6A002. One commenter supported the removal of the aforementioned worldwide RS control. Another commenter stated that it was unclear what two-dimensional focal plane arrays will be EAR99 or controlled on the CCL. Focal plane arrays are controlled based on the technical parameters in ECCN 6A002.

Two commenters requested that BIS evaluate whether square pixel one-dimensional focal plane arrays with a peak response in the wavelength range exceeding 1200 nm but not exceeding 3000 nm should continue to be controlled in 6A002.a.3.d since they are used almost exclusively for commercial applications and are similar to other focal plane arrays that are EAR99. Removing these square pixel focal plane arrays from 6A002 would require multilateral agreement at the Wassenaar Arrangement and thus exceeds the scope of this rule. However, commenters are welcome to submit additional information to BIS to help inform further discussion on whether a Wassenaar proposal to amend this ECCN is warranted.

Two commenters stated that BIS should carve out civil automotive focal plane arrays from being controlled under ECCN 6A002. The commenters asserted that this change would be consistent with other CCL technologies when used for civil automotive applications and would help ensure further research and development into collision avoidance systems. BIS does not accept this recommendation because such a change would require agreement with Wassenaar members and thus exceeds the scope of this rule. However, commenters are welcome to submit additional information to BIS to help inform further discussion on whether a Wassenaar proposal to amend this ECCN is warranted.

Revisions to ECCN 6A003

ECCN 6A003 controls specified cameras, systems or equipment and components therefor. As previously described, this final rule does not adopt the proposed changes to the authorization construct for certain uncooled thermal imaging cameras. Thus, this final rule does not amend the reasons for control in 6A003.

The February 2016 rule proposed to include additional changes to 6A003, such as adding a reference to USML Category XII and revising the reference to the license requirement in § 744.9. BIS received no comments on these changes, and thus adopts them in this final rule. However, this final rule updates the reference to the ITAR in order to point out that cameras subject to the ITAR are found in USML Category XII(c) and (e). In addition, BIS is adding a License Requirement Note to provide further clarification on what constitutes a ''camera'' for purposes of classifying items under 6A003. The License Requirement Note provides that ''[c]ommodities that are not subject to the ITAR but are of the type described in USML Category XII(c) are controlled as cameras in ECCN 6A003 when they incorporate a camera controlled in this ECCN.'' This note is consistent with Interpretation 2 in § 770.2, confirms BIS's existing classification practice for items in 6A003, and is intended to link the more specific terminology of USML Category XII with the Wassenaar-based terminology of 6A003.

Three commenters also provided feedback and recommendations on other aspects of 6A003. One commenter was concerned that researchers may be burdened with additional license requirements for items deployed internationally for field research due to the removal of STA. BIS notes that this final rule does not remove STA availability for 6A003 items being exported or reexported to countries in Country Group A:5. The commenter also supported keeping the related technology control for ''use'' technology unchanged. While this rule does affect STA availability for related technology (see further below), the commenter is correct that all six elements of the definition of ''use'' technology must be met for that control to apply.

One commenter also requested that BIS revise 6A003 so that certain linescan cameras incorporating one-dimensional square pixel focal plane arrays would not be controlled under 6A003. The commenter stated that such cameras are generally intended for commercial use. Another commenter requested that BIS add a note to exclude civil automotive infrared focal plane array systems from control under ECCN 6A003. As with the comments regarding similar items in 6A002, these changes to 6A003 would require agreement with Wassenaar members and exceed the scope of this rule. However, commenters are welcome to submit additional information to BIS to help inform further discussion on whether a Wassenaar proposal to amend this ECCN is warranted.

Revisions to ECCNs 6A990 and 6E990

ECCN 6A990 controls certain read-out integrated circuits (ROICs) that enable 3D automotive imaging and ranging. The February 2016 rule proposed to expand the scope of ROICs controlled under that ECCN by controlling ROICs that are specially designed for focal plane arrays controlled under ECCN 6A002.a.3. Such ROICs would be subject to an RS1 control but would be eligible for License Exception LVS. However, under the proposed rule, ROICs specially designed for civil automotive applications would not be controlled under 6A990.

One commenter expressed support for controlling ROICs ''specially designed'' for 6A002.a.3 focal plane arrays under the EAR rather than the ITAR. However, three commenters also expressed concerns or requested clarification on the proposals for ROICs in 6A990. One commenter opposed expanding the scope of 6A990 to include certain non-ITAR ROICs that are currently EAR99. The commenter cited foreign availability for such ROICs that today may be exported without a license. BIS believes that expanding the scope of 6A990 is warranted to address military applications of dual-use ROICs. Also, BIS believes that industry will benefit from the clearer bright line control for ROICs in the State Department's final rule, which should reduce the possibility of commercial ROICs becoming controlled under the ITAR. With respect to foreign availability, BIS plans to work with its interagency colleagues to propose a control for ROICs on the Wassenaar Arrangement Dual-Use List.

One commenter expressed confusion regarding the proposed note carving out ROICs specially designed for civil automotive applications from control under 6A990. The commenter believed that most or all ROICs used in civil automotive applications are part of general purpose infrared focal plane arrays that are used in numerous applications. Thus, it was unclear how a ROIC could be specially designed for only civil automotive applications. As a result of reviewing commodity

jurisdiction determinations, BIS believes that there are ROICs that have been specially designed for civil automotive applications. To the extent that a ROIC is specially designed for a general purpose focal plane array controlled under 6A002, then it would be controlled under 6A990.

One commenter also recommended that all ROICs specially designed for civil applications be excluded from control under 6A990. For the reasons described above regarding concern over military applications and the added benefit of clarity of the potential impact of the ITAR on commercial ROICs, BIS does not accept this recommendation.

One commenter stated that commercial ROICs should be EAR99 and requested clarification on how commercial ROICs would be controlled under the February 2016 rule. Under this final rule, ROICs that are not ITAR controlled (*i.e.,* are not infrared focal plane array ROICs specially designed for a defense article) would be controlled under 6A990 if they are specially designed for a focal plane array in 6A002.a.3. If a ROIC is not specially designed for a 6A002.a.3 focal plane array, then the ROIC would be designated EAR99. Also, if a ROIC is specially designed for civil automotive applications, then the ROIC would also be designated EAR99.

One commenter also stated that the $500 LVS exception is reasonable but requested clarification on whether the value limit would apply to each ROIC or to a wafer of ROICs. The $500 value limit does not apply to an individual ROIC or a wafer of ROICs but rather to the actual total selling price of all 6A990 ROICs in the same order. Section 740.3 describes the terms and conditions of using License Exception LVS, including the requirements for valuing the commodities at issue. In addition to properly valuing the order, orders may not be split to meet the applicable value limit, and the total value of exports per calendar year to the same ultimate or intermediate consignee may not exceed twelve times the value limit.

For the reasons stated above, this final rule revises ECCN 6A990 as proposed in the February 2016 rule, with one addition to the Related Controls paragraph. Since the ITAR also controls ROICs under Category XV(e)(3), this final rule adds a reference to those ROICs as well as those controlled under Category XII(e). Also, since this final rule adopts the changes to § 744.9 and 0A919, this final rule also maintains reference to those provisions in the Related Controls of this ECCN. Finally, additional limitations on the use of license exceptions for this ECCN are addressed further herein.

ECCN 6E990 controls technology required for the development or production of ROICs controlled in 6A990. The February 2016 rule proposed to revise the Related Controls paragraph to reference the corresponding USML control for technical data directly related to ROICs described in Category XII. BIS received no public comments on this revision and adopts it in this final rule, but makes one corresponding change. Since this final rule revises the Related Controls paragraph of 6A990 to refer to ROICs controlled under Category XV, this final rule also refers to the applicable technical data control in Category XV for such ROICs.

Revisions to 6A993

ECCN 6A993 controls cameras in 6A993.a having a maximum frame rate equal to or less than 9 Hz and thus meeting the criterion specified in Note 3.a to ECCN 6A003.b.4.b. The February 2016 rule proposed to revise the Related Controls paragraph to remind readers of the applicability of § 744.9 and ECCN 0A919 to 9 Hz cameras. Since this final rule revises § 744.9 and ECCN 0A919 to add 9 Hz cameras to those provisions, this final rule adopts the proposal to add references to those provisions in the Related Controls paragraph of 6A993.

BIS did not receive public comments on the Related Controls paragraph, but did receive two comments related to 6A993. One commenter stated that 6A993 should control cameras having an operating speed of 60 Hz or less and incorporating a focal plane array in 6A003.b.4.b with a maximum of 328,000 elements or less. BIS rejects this recommendation as this would require agreement with Wassenaar members and is beyond the scope of this rule. One commenter expressed concerns that 6A993 items could be pulled into the ITAR due to the use of specially designed for infrared focal plane arrays in the State Department's second proposed rule. While the State Department's final rule addresses this issue, BIS notes that the intent was to control uniquely military infrared detection items (even comparatively lower performing military items) on the ITAR; therefore the EAR controls the commercial and dual-use infrared detection items. Thus, the commenter's concern is correct, but that was intended under the February 2016 rules as well as under these final rules.

Revisions to ECCNs 6D002, 6D003, and 6D991

The Wassenaar Arrangement's List of Dual-Use Goods and Technologies imposes limited controls on software related to commodities controlled under ECCNs 6A002 and 6A003. As a result, the CCL currently has the following multilateral and unilateral software controls related to such items: ECCN 6D002 (software specially designed for the use of commodities controlled under ECCN 6A002.b), ECCN 6D003.c (software designed or modified for cameras incorporating focal plane arrays specified by ECCN 6A002.a.3.f and designed or modified to remove a frame rate restriction and allow the camera to exceed the frame rate specified in ECCN 6A003.b.4 Note 3.a), and ECCN 6D991 (software, n.e.s., specially designed for the development, production, or use of commodities controlled under ECCN 6A002.a.1.d or 6A990).

To address concerns regarding the lack of comprehensive software controls related to commodities controlled under ECCNs 6A002 and 6A003, the February 2016 rule proposed to consolidate existing, unilateral software controls and expand them to revise ECCN 6D991 to also control software, not elsewhere specified, that is specially designed for the development, production, or use of commodities controlled by ECCNs 6A002 or 6A003. The February 2016 rule proposed to make such software subject to the RS Column 1 reason for control. Also, the February 2016 rule proposed to remove eligibility to use License Exception TSR for the software described above in ECCNs 6D002 and 6D003.c. To prevent confusion over multiple ECCNs potentially controlling the same software, the February 2016 rule proposed to add language to the Related Controls paragraphs of ECCN 6D991 to confirm that software currently controlled under ECCNs 6D002 and 6D003.c would remain controlled under those provisions. To reflect this understanding, the February 2016 rule also proposed to revise the Related Controls paragraphs of ECCNs 6D002 and 6D003 to provide references to ECCNs 6D991.

Four commenters expressed concerns about the proposed revisions to the software controls described above. Two commenters recommended removing ''use'' software for 6A002 and 6A003 commodities from the scope of ECCN 6D991. One of those commenters stated that software field upgrades would be more challenging and costly, which would put U.S. suppliers at a competitive disadvantage. The other commenter mentioned that even though

typical operation software would be unlikely to meet all six elements of the definition of ''use,'' the control could create confusion. BIS agrees with the second commenter that it is unlikely that operation software would meet all six elements of ''use.'' Further, BIS believes that it is unlikely that software for field upgrades, which would likely be focused on camera maintenance, would include all six elements of ''use'' and thus be controlled. Therefore, BIS does not accept this recommendation.

Another commenter expressed concerns that the proposed expansion of 6D991 could affect software used in the production and testing of 6A003 and possibly 6A993 items, but the commenter noted it was unclear the extent to which the controls would apply to certain types of software due to difficulty in applying the definition of ''specially designed'' in the context of software. The commenter also expressed concerns on needing to get a license to provide field testing software to service centers. BIS notes that the intent of expanding 6D991, among other things, was to include software specially designed for the production of 6A003 cameras. This does not include software used for testing 6A003 cameras for purposes outside of the production or development process. Therefore, BIS believes that the scope of control in 6D991 is appropriate. With respect to applying the definition of ''specially designed'' to software, BIS notes that any software would be caught by paragraph (a) if it achieves the parameters described in the relevant USML or CCL entry as a result of ''development'' or if it is used in or with a commodity enumerated on the CCL or USML. Software is, however, eligible for the paragraph (b) releases. For example, if software used for the production of a controlled item has the same function, performance capabilities, and the same or equivalent form and fit, as software used in the production of an item controlled for AT reasons only, then such software would qualify for the release under paragraph (b)(3). Note 3 to paragraph (b)(3) also provides guidance on interpreting ''form,'' ''fit,'' ''function,'' and ''performance capability'' with respect to software. Finally, with respect to software for field testing centers, such software would have to meet all six elements of the definition of ''use'' in order to be controlled in 6D991.

One commenter stated that software used to operate a camera should be EAR99 and further expressed concern that a license would be required for software that interfaces with the arrays for either manufacturing or testing applications. Under the February 2016 proposed rule and this final rule, software simply used to operate a camera would not be controlled under 6D991 and would be EAR99. Again, all six elements of the ''use'' definition must be met in order to be considered ''use'' software under 6D991. In addition, BIS reiterates that software used for testing outside of the production or development process would not be captured by 6D991. Software that is used to test during the production or development process and that meets the definition of ''specially designed'' would be controlled by 6D991.

One commenter opposed removing the ability to use License Exception TSR for 6D002 (software ''specially designed'' for the ''use'' of commodities controlled under ECCN 6A002.b) and 6D003.c. The commenter cited concerns about U.S. competitiveness and working cooperatively in Wassenaar countries. BIS believes that U.S. competitiveness will be greatly improved by the bright line approach in the State Department's final rule for USML Category XII, which makes clear that commercial items (and related technology and software) are not generally intended to be controlled under the ITAR. BIS believes that removing TSR eligibility for these ECCNs is warranted.

BIS received no comments related to other aspects of the changes to ECCNs 6D002, 6D003, and 6D991. For the reasons described above, this final rule adopts the proposed changes to those ECCNs without revision.

Revisions to ECCNs 6E001 and 6E002

ECCNs 6E001 and 6E002 control development and production technology, respectively, related to multiple ECCNs in Category 6, including items related to infrared detection in ECCNs 6A002 and 6A003. The February 2016 rule proposed to remove eligibility to use License Exception TSR for all 6E001 or 6E002 technology related to commodities controlled under 6A002 or 6A003. Further, the February 2016 rule proposed to add guidance to the Related Controls paragraphs in those ECCNs to provide clarity on technology controls related to commodities subject to the ITAR.

BIS received two public comments in response to the proposed changes to 6E001 and 6E002. One commenter stated that the February 2016 rule would put restrictions on the commodities related to manufacturing a focal plane array, including ''substrates, epitaxial grown materials, zinc diffusion, software, and firmware in cameras.'' The controls in 6E001 and 6E002 apply to technology for the development or production of certain commodities (and software in the case of 6E001). Those controls do not apply to the commodities themselves, which are found in ECCNs 6A002 and 6A003. In addition, the applicable software controls are found in ECCNs 6D002, 6D003, and 6D991.

One public commenter expressed concerns about the removal of License Exception TSR due to concerns about U.S. competitiveness and working cooperatively in Wassenaar countries. As previously mentioned, BIS believes that U.S. competitiveness will be greatly improved by the bright line approach in the State Department's final rule for USML Category XII, which makes clear that commercial items (and related technology and software) are not generally intended to be controlled under the ITAR. BIS believes that removing TSR eligibility for these ECCNs is warranted.

This final rule revises ECCNs 6E001 and 6E002 as proposed, but amends the availability of License Exception TSR for certain technology related to 6A003 cameras. That change is described further below in response to public comments regarding License Exception STA.

Addition to Section 740.2

Section 740.2 sets forth restrictions on all license exceptions, and the February 2016 rule proposed a new restriction in § 740.2(a)(7) that would apply to 6E001 or 6E002 technology required for the development or production of the following focal plane arrays: Photon detector, microbolometer detector, pyroelectric, or multispectral detector infrared focal plane arrays (IRFPAs), described in ECCN 6A002, having a peak response within the wavelength range exceeding 900 nm but not exceeding 30,000 nm, excluding lead sulfide or lead selenide infrared focal plane arrays having a peak response within the wavelength range exceeding 1,000 nm but not exceeding 5,000 nm and not exceeding 16 detector elements. Moreover, under the February 2016 rule, § 740.2(a)(7) would apply to 6E001 or 6E002 technology required for the development or production of third generation image intensifier tubes or image intensifier tubes greater than third generation (*e.g.,* EBAPS). BIS received no public comments on this provision and adopts it in this final rule. To provide further clarity, this final rule includes the full name for EBAPS, Electron Bombarded Active Pixel Sensor. As mentioned in the February 2016 rule and adopted in this final rule,

the 6E001 and 6E002 technology described above will be eligible for License Exception GOV under § 740.11(b)(2) of the EAR.

Restrictions on the Use of License Exception APR

License Exception APR currently authorizes specified reexports of items subject to the EAR by certain countries to specified destinations without individual licenses from BIS. The February 2016 rule proposed to increase the number of items ineligible for § 740.16(b) by including all items in ECCNs 6A002, 6A003, and 6A990 in the restrictions found in paragraph (a)(2) of that section. BIS received one general comment that opposed any reduction in the availability of license exceptions, but the commenter did not address any specific concerns regarding APR. Consequently, BIS adopts the changes proposed for paragraph (a) of APR in this final rule and makes only slight revisions to that paragraph for clarity.

As previously mentioned, this final rule retains the license requirement and license exception construct for certain uncooled thermal imaging cameras. This construct includes provisions in paragraph (b) of APR. However, this final rule adopts the non-substantive changes to paragraph (b) that were proposed in the February 2016 rule and rearranges the list of items to make the text clearer. BIS received no comments on the clarifying, non-substantive changes to § 740.16(b) and adopts them in this final rule while keeping the existing special provision for certain uncooled thermal imaging cameras in § 740.16(b)(3).

Restrictions on the Use of License Exception STA

Section 740.20(b)(2)(x) restricts the use of License Exception STA for specific commodities controlled by ECCN 6A002, as well as related technology controlled by 6E001 or 6E002. The February 2016 rule proposed to expand that restriction to include all items in the following ECCNs: 6A002; 6A990; 6D002 (for the use of commodities controlled under ECCN 6A002.b); 6D003.c; 6D991 (for the development, production, or use of commodities controlled under ECCNs 6A002, 6A003, or 6A990); 6E001 (for the development of commodities controlled under ECCNs 6A002 or 6A003); 6E002 (for the production of commodities controlled under ECCNs 6A002 or 6A003); and 6E990. Additionally, the February 2016 rule proposed to add new ECCN 0E987 to the list of items restricted from STA under § 740.20(b)(2)(ii).

Three commenters expressed concerns with those proposed restrictions. One commenter recommended that STA be allowed for all items in 6A002 and 6A990. The commenter noted that doing so would be consistent with continuing to allow STA for 6A003 cameras. Also, the commenter believed this restriction would put U.S. companies at a competitive disadvantage due to foreign availability for such items for which there are less restrictive controls, and that some development technology for 6A990 read-out integrated circuits (ROICs) is already publicly available. The commenter also noted that ROICs not subject to the ITAR have historically been EAR99. BIS does not accept this recommendation at this time. Items controlled in 6A002 and 6A990, while dual use, have important military applications, and thus removal of STA eligibility is warranted. However, after the effective date of this rule, BIS will assess licensing volumes and re-evaluate whether a change to STA eligibility is necessary. Further, BIS notes that some items in 6A002 are only subject to NS2 and AT controls, so STA would not be needed to export or reexport to countries in Country Group A:1.

In addition to opposing the removal of STA for 6A002 and 6A990, one commenter also opposed the license exception's removal for ECCNs 6D002, 6D003, 6D991, 6E001, and 6E002. The commenter stated removing STA would hurt U.S. competitiveness, harm the ability to work internally and cooperatively within affiliates in Wassenaar countries, increase administrative burden, and could require licenses for providing field testing software to service centers. As previously mentioned, BIS believes that this software and technology has important military applications, and thus excluding the use of STA is warranted. Also, BIS believes that U.S. competitiveness will be greatly improved by the bright line approach in the State Department's final rule for USML Category XII, which makes clear that commercial items (and related technology and software) are not generally intended to be controlled under the ITAR. With respect to providing field testing software, BIS believes that such software is unlikely to meet the definition of ''use'' and unlikely to be controlled under ECCNs 6D002, 6D003, or 6D991.

One commenter requested that BIS allow STA for 6E001 and 6E002 technology for civil automotive far infrared night vision systems at the camera level. The commenter mentioned that the company has used STA when civil automotive vehicle manufacturers have required audits on products and manufacturing, which includes sharing design and manufacturing technology with non-U.S. nationals. BIS accepts this recommendation in part. This final rule revises § 740.20(b)(2)(x) to remove STA eligibility as described in the February 2016 rule. However, this final rule revises the eligibility to use License Exception TSR under ECCNs 6E001 and 6E002 to allow technology for the integration of 6A003 cameras into camera systems specially designed for civil automotive applications. Under this change, this technology may be released to Country Group B destinations or nationals so long as all terms and conditions of TSR are complied with, including obtaining a written assurance. This ability to use TSR is limited to specific 6E001 or 6E002 technology related to 6A003 cameras, and does not apply to 6E001 or 6E002 technology related to 6A002 items within the 6A003 cameras.

Revisions to Licensing Policy

As previously mentioned, this final rule retains the provisions in § 742.6 that apply to the authorization construct for certain uncooled thermal imaging cameras. However, the February 2016 rule also proposed revisions to licensing policy for items controlled for RS reasons by revising § 742.6(b)(1) to include new licensing policy for 6E001 or 6E002 technology for the development or production of focal plane arrays or image intensifier tubes described in 6A002, or for 6E990 technology. Under the February 2016 rule, such technology would be subject to a presumption of denial for license applications for exports or reexports to countries in Country Group D:5. BIS received no public comments on this proposal and is adopting the proposed changes to § 742.6(b)(1) in this final rule.

BIS is also removing the heading in § 742.6(b)(1)(i), which was proposed in the February 2016 rule to read ''9x515 and '600 series' ECCNs.'' BIS is making this change because that paragraph applies to more than just 9x515 and 600 series items. Finally, as described below under ECCN 7E611, this final rule removes the proposed worldwide RS control for 7E611.a, and thus removes proposed § 742.6(a)(8) and references to that paragraph in § 742.6(b)(1).

Establishment of ''600 Series'' for Military Fire Control, Laser, Imaging, and Guidance Items Under ECCNs 7A611, 7B611, 7D611, and 7E611

The May 2015 rule proposed establishing two separate 600 series controls in 6x615 and 7x611. The February 2016 rule proposed to consolidate those entries and establish a single ''600 series'' by revising ECCN 7A611 and adding new ECCNs 7B611, 7D611, and 7E611 for military fire control, laser, imaging, and guidance and control commodities, software, and technology. Two commenters supported this simplified structure, and this final rule adopts the proposed consolidation of 600 series controls under 7x611 ECCNs.

Since categories 6 and 7 of the CCL currently control certain laser, imaging, and guidance items, the February 2016 rule also proposed to amend ECCN 6A611 to refer readers to Category 7 to locate the appropriate controls. BIS received no comments on this revision. This final rule revises 6A611 to add the reference to 7A611, but this final rule revises the term ''guidance and control'' to ''guidance'' to conform to changes made in the State Department's final rule. References to ''control'' are similarly removed throughout these 600 series entries to conform to the State Department's final rule.

Three commenters provided comments on these proposed 600 series entries. Revisions to the proposed 600 series ECCNs are described below.

Establishment of ECCN 7A611

As described in the February 2016 rule, ECCN 7A611 would control military fire control, laser, imaging, and guidance and control equipment that would be removed from USML Category XII and that are not covered by an existing ECCN subject to controls for reasons other than AT reasons. This included controlling certain guidance, navigation, or control systems; inertial measurement units; accelerometers; gyros or angular rate sensors; and gravity meters (gravimeters) in paragraphs .a through .e. Paragraph .x would control parts, components, accessories, and attachments that are specially designed for a commodity controlled by ECCN 7A611 (except 7A611.y) or a defense article in USML Category XII and not controlled elsewhere on the USML or in 7A611.y or 3A611.y. All items that would be controlled under 7A611.a–.x would be controlled for NS, RS, AT, and UN reasons. Paragraph .y, which would be controlled for AT reasons, would control specific parts, components, accessories, and attachments specially designed for a commodity subject to control in ECCN 7A611, or a defense article in USML Category XII and not elsewhere specified on the USML or in the CCL, and parts, components, accessories, and attachments specially designed therefor. The February 2016 rule did not include any items in 7A611.y. This final rule revises ECCN 7A611 with revisions to the February 2016 proposed rule as described below.

Two commenters provided recommendations or requested clarification on ECCN 7A611. One commenter pointed out that certain dual-use items controlled in CCL Category 7 may become controlled under 7A611 because such dual-use items would not qualify for the release in paragraph (b)(3) of the definition of ''specially designed,'' which applies to parts, components, accessories, or attachments that have the same function, performance capabilities, and the same or equivalent form and fit, as a commodity used in or with an item that is or was in production and is either not enumerated on the CCL or USML, or is described in an ECCN controlled only for AT reasons. Since many of the Category 7 parts and components are incorporated into Category 7 higher-level assemblies that are subject to NS or MT reasons, such parts and components would not be eligible for the (b)(3) release of specially designed.

To address this concern, BIS is revising and restructuring 7A611.x to specify that 7A611.x does not control items described in ECCNs 6A007, 6A107, 7A001, 7A002, 7A003, 7A101, 7A102, or 7A103. Essentially, this revision is an exception to the normal process of the Order of Review in which 600 series entries normally take precedence over dual-use entries in the CCL. BIS believes this change is warranted to address the concern raised by the commenter, and BIS believes that the dual-use controls provide sufficient levels of control to capture military items previously in USML Category XII that meet the parameters in one of the dual-use ECCNs listed above. As part of this change, BIS is also removing the entries that were proposed in 7A611.b–.e for inertial measurement units, accelerometers, gyros or angular rate sensors, and gravity meters (gravimeters). These items will be controlled under 7A611.x to the extent that they are specially designed and not controlled under the list of dual-use ECCNs described above. To ensure clarity on where such items are controlled, BIS is also adding text to 7A611.x to specifically name such items.

One commenter also questioned why 7A611 does not include the missile technology (MT) reason for control. BIS concurs that MT should be added to 7A611, and this final rule adds that control to the ECCN for commodities in 7A611.a that meet or exceed the parameters in 7A103.b or .c. Also, with the change described above to 7A611.x, ECCNs 6A107, 7A101, 7A102, and 7A103 will address those other items potentially controlled for MT reasons.

One commenter recommended that infrared optical elements, such as optical blanks and lenses, should not be controlled using ''specially designed'' under 7A611.x. Instead, the commenter believed that only certain germanium blanks and infrared lenses with certain resistivity should be controlled in 7A611. The commenter believed that all other optics blanks and infrared lenses should be EAR99. To support these recommendations, the commenter stated that applying ''specially designed'' would be burdensome since many of these products are made according to customer specifications and may have overlapping size, curvature, and fit requirements among both military and commercial customers. The commenter also believed that such controls would be more restrictive than the EU's export control regime. BIS believes that the commenter's recommended controls would not capture all optical blanks and infrared lenses that warrant control. Further, it is BIS's understanding that such items would be controlled under ML 15 of the Wassenaar Arrangement if they are specially designed. Therefore, BIS does not accept this recommendation. To the extent that optical blanks or infrared lenses meet the definition of ''specially designed,'' they would be controlled under 7A611.x.

BIS is also making additional conforming changes. This final rule revises the Related Controls paragraph to add references to ECCNs 6A107 and 7A103 since those ECCNs control related items. Also, this final rule removes the sentence in the Related Controls regarding navigation and avionics equipment specially designed for military application. In the February 2016 rule, that sentence referred readers to ECCN 3A611, which is incorrect. Such equipment is currently controlled in ECCN 9A610. Additionally, this final rule removes the word ''control'' from ''guidance, navigation, and control systems'' in 7A611.a and from the first sentence in the Related Controls to conform with changes made in the State Department's final rule.

Establishment of 7B611

The February 2016 rule proposed creating ECCN 7B611 to impose controls on test, inspection, and production equipment and related commodities specially designed for military fire control, laser, imaging, and guidance and control equipment. Paragraph .a would control such equipment specially designed for the development, production, repair, overhaul, or refurbishing of items controlled in ECCN 7A611 (except 7A611.y) or commodities in USML Category XII that are not enumerated in USML Category XII or controlled by a 600 series ECCN. Paragraph .b would control environmental test facilities specially designed for certification, qualification, or testing of commodities controlled in ECCN 7A611 (except 7A611.y) or commodities in USML Category XII that are not enumerated in USML Category XII or a 600 series ECCN. Paragraph .c would control field test equipment specially designed to evaluate or calibrate the operation of systems described in USML Category XII(a), (b), or (c). Paragraph .x would control parts, components, accessories, and attachments that are specially designed for such test, inspection and production equipment that are not enumerated on the USML or controlled by another 600 series ECCN. Items in ECCN 7B611 would be controlled for NS, RS, AT, and UN reasons.

BIS did not receive any public comments specific to ECCN 7B611. This final rule adopts the proposal to add 7B611 to the CCL, with three conforming changes. First, as previously mentioned, this final rule is revising references to ''guidance and control'' to just ''guidance.'' This final rule makes that change in the heading of the ECCN. Second, this final rule adds an MT control for 7B611.a commodities specially designed for 7A611.a commodities controlled for MT reasons. This change is being made to correspond to the addition of an MT control in 7A611. Third, paragraphs .b and .c now specify that those paragraphs control items not controlled by another 600 series to bring them into conformity with prior language used in other 600 series ECCNs for test, inspection, and production equipment.

Establishment of 7D611

The February 2016 rule proposed adding ECCN 7D611 to control software specially designed for the development, production, operation, or maintenance of commodities controlled by 7A611 or 7B611. Such software would be controlled for NS, RS, AT, and UN reasons. Any software added to 7D611.y would be controlled for AT reasons only.

BIS did not receive any public comments specific to ECCN 7D611. Thus, this final rule adopts the proposal to add 7D611 to the CCL with one conforming change. This final rule adds an MT control for 7D611.a software specially designed for 7A611.a commodities controlled for MT reasons. This change is being made to correspond to the addition of an MT control in 7A611.

Establishment of 7E611 and Revisions to § 742.6 for Licensing 600 Series Items

The February 2016 rule proposed adding ECCN 7E611 to control technology required for the development, production, operation, installation, maintenance, repair, overhaul, or refurbishing of items controlled by 7A611, 7B611, or 7D611. Such technology would be controlled for NS, RS, AT, and UN reasons, but certain technology described in proposed 7E611.a (technology required for the development or production of commodities controlled by proposed 7A611.a–.e) would be subject to a worldwide RS reason for control, pursuant to proposed text added to § 742.6(a)(8). All other technology in 7E611, other than 7E611.y, would be subject to an RS Column 1 control. Any technology added to 7E611.y would be controlled for AT reasons only.

When adding the worldwide RS control to 7E611 in the February 2016 rule, BIS believed that the worldwide RS control would only affect technical data currently controlled in USML Category XII(f) that is not eligible for the Canadian exemption under Supplement No. 1 to part 126 of the ITAR. As described in proposed § 742.6(b)(1), proposed 7E611.a technology would be subject to the same licensing policy as other 600 series items. In addition, License Exception STA would not be available for 7E611.a technology but would be available for technology in 7E611.b or .c for exports or reexports to Country Group A:5.

BIS received one public comment pertaining to ECCN 7E611, and that commenter supported limiting a worldwide RS control to technology proposed to be controlled in 7E611.a. However, by revising 7A611.x so that it does not control items described in ECCNs 6A007, 6A107, 7A001, 7A002, 7A003, 7A101, 7A102, or 7A103, this final rule significantly reduces the scope of items in 7A611 and related technology in 7E611. Consequently, BIS believes that the proposed worldwide RS control is no longer warranted. This final rule removes the worldwide RS control in 7E611 and § 742.6(a)(8), removes the restriction on the use of License Exception STA for Country Group A:5, and restructures the Items paragraph to match the normal structure for a 600 series technology ECCN. ECCN 7E611.a will control technology required for the development, production, operation, installation, maintenance, repair, overhaul, or refurbishing of commodities or software controlled by ECCN 7A611 (except 7A611.y), 7B611, or 7D611 (except 7D611.y). ECCN 7E611.y will control specific technology required for the production, development, operation, installation, maintenance, repair, or overhaul of commodities or software controlled by ECCNs 7A611.y or 7D611.y.

This final rule also adds an MT control for technology for 7E611.a technology if required for items controlled for MT reasons in 7A611.a, 7B611.a, or 7D611.a. This change is being made to correspond to the addition of an MT control in 7A611, 7B611, and 7D611.

BIS received no public comments regarding the description of the license requirement for 7E611.a in § 742.6(a)(1) or the revisions to § 742.6(b)(1) describing licensing policy for RS Column 1 items and ECCN 7E611.a. Consequently, this final rule revises those sections consistent with the February 2016 rule.

Revisions to Other Existing ECCNs

The February 2016 rule proposed to revise many existing dual-use ECCNs to provide cross references to USML Category XII for similar items subject to the ITAR. BIS received no public comments on the proposed changes to the Related Controls paragraphs of those dual-use ECCNs. Therefore, this final rule revises the Related Controls to cross-reference similar items subject to the ITAR in ECCNs 6A004, 6A005, 6A007, 6A107, 7A001, 7A002, 7A003, 7A005, 7A101, and 7A102. The February 2016 rule also proposed to revise the Related Controls paragraph in ECCN 8A002 to refer readers to the potential license requirement in § 744.9, which would apply to commodities in 8A002.d.1.c or .d.2. Since this final rule adopts the proposed increase in scope of § 744.9 for 8A002.d items, this final rule also revises the Related Controls reference to that section in 8A002.

BIS also proposed to revise the Related Controls paragraph of ECCN 2A984, which controls certain concealed object detection equipment. This final rule maintains the cross reference to USML Category XII(c) for

related terahertz imaging systems subject to the ITAR, but moves the reference to the first sentence of the Related Controls paragraph. Additionally, this final rule also revises the scope of control of ECCN 2A984. The State Department's February 2016 rule proposed to change the scope of terahertz imaging systems subject to the ITAR by controlling those that have a peak response in the frequency range exceeding 30 GHz but not exceeding 3000 GHz, and having a resolution less (better) than 0.1 milliradians at a standoff range of 100 m. This would have led to an inadvertent result where terahertz imaging systems having a peak response in the frequency range exceeding 30 GHz but not exceeding 3000 GHz, and having a resolution of 0.1 to 0.5 milliradians at a standoff range of 100 m would be designated EAR99, while less capable terahertz imaging systems would be controlled under 2A984. To address this gap, this final rule amends the heading of 2A984 to control concealed object detection equipment operating in the frequency range from 30 GHz to 3000 GHz and having a spatial resolution of 0.1 milliradian up to and including 1 milliradian at a standoff distance of 100 meters (and parts and components not elsewhere specified), and makes conforming changes to the related controls section.

Finally, BIS proposed to revise ECCN 6A008 to add a sentence to the Related Controls paragraph for certain laser detection and ranging (LADAR), light detection and ranging (LIDAR), or range-gated systems subject to the ITAR. One commenter recommended that BIS expand an existing sentence in the Related Controls on car radar designed for collision avoidance to provide that 6A008 does not control civil automotive radar or LIDAR. BIS does not accept this recommendation as making this change would require agreement with other Wassenaar members. Therefore, this final rule revises the Related Controls paragraph as proposed.

Export Administration Act

Although the Export Administration Act expired on August 20, 2001, the President, through Executive Order 13222 of August 17, 2001, 3 CFR, 2001 Comp., p. 783 (2002), as amended by Executive Order 13637 of March 8, 2013, 78 FR 16129 (March 13, 2013) and as extended by the Notice of August 4, 2016, 81 FR 52587 (August 8, 2016), has continued the Export Administration Regulations in effect under the International Emergency Economic Powers Act. BIS continues to carry out the provisions of the Export Administration Act, as appropriate and to the extent permitted by law, pursuant to Executive Order 13222, as amended by Executive Order 13637.

Rulemaking Requirements

1. Executive Orders 13563 and 12866 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distribute impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has been designated a ''significant regulatory action,'' although not economically significant, under section 3(f) of Executive Order 12866. Accordingly, the rule has been reviewed by the Office of Management and Budget (OMB).

2. Notwithstanding any other provision of law, no person is required to respond to, nor is subject to a penalty for failure to comply with, a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid OMB control number. This proposed rule would affect two approved collections: Simplified Network Application Processing + System (control number 0694–0088), which includes, among other things, license applications, and License Exceptions and Exclusions (0694–0137).

As stated in a proposed rule published on July 15, 2011 (76 FR 41958) (''July 15 proposed rule''), BIS initially believed that the combined effect of all rules to be published adding items to the EAR that will be removed from the ITAR as part of the Administration's Export Control Reform Initiative would increase the number of license applications to be submitted by approximately 16,000 annually. As the review of the USML has progressed, the interagency group has gained more specific information about the number of items that will come under BIS jurisdiction and whether those items would be eligible for export under license exceptions. As of June 21, 2012, BIS revised that estimate to an increase in license applications of 30,000 annually, resulting in an increase in burden hours of 8,500 (30,000 transactions at 17 minutes each) under control number 0694–0088. BIS continues to believe that its revised estimate is accurate.

Some items formerly on the USML would become eligible for License Exception STA under this rule. As stated in the July 15 proposed rule, BIS believes that the increased use of License Exception STA resulting from the combined effect of all rules to be published adding items to the EAR that would be removed from the ITAR as part of the Administration's Export Control Reform Initiative would increase the burden associated with control number 0694–0137 by about 23,858 hours (20,450 transactions at 1 hour and 10 minutes each).

BIS expects that this increase in burden would be more than offset by a reduction in burden hours associated with approved collections related to the ITAR. This proposed rule addresses controls on fire control, laser, imaging, and guidance and control items. With few exceptions, most exports of such items, even when destined to NATO member states and other close allies, require State Department authorization. In addition, the exports of technology necessary to produce such items in the inventories of the United States and its NATO and other close allies require State Department authorizations. Under the EAR, as proposed, such technology that would be subject to the EAR would become eligible for export to NATO member states and other close allies under License Exception STA unless otherwise specifically excluded. Use of License Exception STA imposes a paperwork and compliance burden because, for example, exporters must furnish information about the item being exported to the consignee and obtain from the consignee an acknowledgement and commitment to comply with the EAR. However, the Administration believes that complying with the requirements of STA is likely less burdensome than applying for licenses. For example, under License Exception STA, a single consignee statement can apply to an unlimited number of products, need not have an expiration date, and need not be submitted to the government in advance for approval. Suppliers with regular customers can tailor a single statement and assurance to match their business relationship rather than applying repeatedly for licenses with every purchase order to supply reliable customers in countries that are close allies or members of export control regimes or both.

3. This rule does not contain policies with Federalism implications as that term is defined under E.O. 13132.

4. The Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Enforcement

Fairness Act of 1996 (SBREFA), 5 U.S.C. 601 *et seq.,* generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to the notice and comment rulemaking requirements under the Administrative Procedure Act (5 U.S.C. 553) or any other statute, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Under section 605(b) of the RFA, however, if the head of an agency (or his or her designee) certifies that a rule will not have a significant impact on a substantial number of small entities, the statute does not require the agency to prepare a regulatory flexibility analysis. Pursuant to section 605(b), the Chief Counsel for Regulation, Department of Commerce, submitted a memorandum to the Chief Counsel for Advocacy, Small Business Administration, certifying that the May 5 proposed rule would not have a significant impact on a substantial number of small entities. The rationale for that certification was set forth in the preamble to that proposed rule. Although BIS received no comments on that rationale, and has accordingly made no changes to the proposed rule based on the RFA certification, BIS has determined that, in the interest of openness and transparency, it will briefly restate the rationale behind the certification here.

This proposed rule is part of the Administration's Export Control Reform Initiative, which seeks to revise the USML to a positive list—one that does not use generic, catch-all controls for items listed—and to move some items that the President has determined no longer merit control under the ITAR to control under the CCL.

Although BIS does not collect data on the size of entities that apply for and are issued export licenses, and is therefore unable to estimate the exact number of small entities—as defined by the Small Business Administration's regulations implementing the RFA—BIS acknowledges that some small entities may be affected by this proposed rule.

The main effects on small entities resulting from this rule will be in application times, costs, and delays in receiving licenses to export goods subject to the CCL. However, while small entities may experience some costs and time delays for exports due to the license requirements of the CCL, these costs and delays will likely be significantly less than they were for items previously subject to the USML. BIS believes that in fact this rule will result in significantly reduced administrative costs and delays for exports of items that will, upon this rule's implementation, be subject to the EAR rather than the ITAR. Currently, USML applicants must pay to use the USML licensing procedure even if they never actually are authorized to export. Registration fees for manufacturers and exporters of articles on the USML start at $2,250 per year, increase to $2,750 for organizations applying for one to ten licenses per year and further increases to $2,750 plus $250 per license application (subject to a maximum of three percent of total application value) for those who need to apply for more than ten licenses per year. By contrast, BIS is statutorily prohibited from imposing licensing fees. In addition, exporters and reexporters of goods that would become subject to the EAR under this rule would need fewer licenses because their transactions would become eligible for license exceptions that were not available under the ITAR. Additionally, the ITAR controls parts and components even when they are incorporated—in any amount—into a foreign-made product. That limitation on the use of US-made goods subject to the ITAR discouraged foreign manufacturers from importing US goods. However, the EAR has a *de minimis* exception for US-manufactured goods that are incorporated into foreign-made products. This exception may benefit small entities by encouraging foreign producers to use more US-made items in their goods.

Even where an exporter or reexporter would need to obtain a license under the EAR, that process is both cheaper and more flexible than obtaining a license under the ITAR. For example, unlike the ITAR, the EAR does not require license applicants to provide BIS with a purchase order with the application, meaning that small (or any) entities can enter into negotiations or contracts for the sale of goods without having to caveat any sale presentations with a reference to the need to obtain a license under the ITAR before shipment can occur. Second, the EAR allows license applicants to obtain licenses to cover all expected exports or reexports to a particular consignee over the life of a license, rather than having to obtain a new license for every transaction.

In short, BIS expects that the changes to the EAR proposed in this rule will have a positive effect on all affected entities, including small entities. While BIS acknowledges that this rule may have some cost impacts to small (and other) entities, those costs are more than offset by the benefits to the entities from the licensing procedures under the EAR, which are much less costly and less time consuming than the procedures under the ITAR. Accordingly, the Chief Counsel for Regulation for the Department of Commerce has certified that this rule, if implemented, will not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis is not required, and none has been prepared.

List of Subjects

15 CFR Part 734

Administrative practice and procedure, Exports, Inventions and patents, Research, Science and technology.

15 CFR Part 740

Administrative practice and procedure, Exports, Reporting and recordkeeping requirements.

15 CFR Part 742

Exports, Terrorism.

15 CFR Part 744

Exports, Reporting and recordkeeping requirements, Terrorism.

15 CFR Part 772

Exports.

15 CFR Part 774

Exports, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, the Export Administration Regulations (15 CFR parts 730–774) are amended as follows:

PART 734—[AMENDED]

■ 1. The authority citation for part 734 continues to read as follows:

Authority: 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 13020, 61 FR 54079, 3 CFR, 1996 Comp., p. 219; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13637, 78 FR 16129, 3 CFR, 2014 Comp., p. 223; Notice of November 12, 2015, 80 FR 70667 (November 13, 2015); Notice of August 4, 2016, 81 FR 52587 (August 8, 2016).

■ 2. Section 734.4 is amended by removing and reserving paragraph (a)(3) and revising paragraph (a)(5).

The revision reads as follows:

§ 734.4 *De minimis* U.S. content.

(a) * * *

(5) There is no *de minimis* level for foreign-made ''military commodities'' incorporating one or more of the commodities described in ECCN 0A919.a.1 when destined for a country listed in Country Group D:5 of Supplement No. 1 to part 740 of the EAR.

* * * * *

PART 740—[AMENDED]

■ 3. The authority citation for part 740 continues to read as follows:

Authority: 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* 22 U.S.C. 7201 *et seq.;* E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 4, 2016, 81 FR 52587 (August 8, 2016).

■ 4. Section 740.2 is amended by adding paragraph (a)(7) and removing and reserving paragraph (a)(9).

The addition reads as follows:

§ 740.2 Restrictions on All License Exceptions.

(a) * * *

(7) With the exception of License Exception GOV (§ 740.11(b)(2)), license exceptions are not available for the following 6E001 or 6E002 technology:

(i) Technology required for the ''development'' or ''production'' of photon detector, microbolometer detector, pyroelectric, or multispectral detector, infrared focal plane arrays (IRFPAs), described in ECCN 6A002, having a peak response within the wavelength range exceeding 900 nm but not exceeding 30,000 nm, excluding lead sulfide or lead selenide IRFPAs having a peak response within the wavelength range exceeding 1,000 nm but not exceeding 5,000 nm and not exceeding 16 detector elements; or

(ii) Technology required for the ''development'' or ''production'' of third generation or greater (*e.g.,* Electron Bombarded Active Pixel Sensor (EBAPS)) image intensifier tubes described in ECCN 6A002.

* * * * *

■ 5. Section 740.16 is amended by revising paragraphs (a)(2) and (b)(1) through (3) to read as follows:

§ 740.16 Additional permissive reexports (APR).

(a) * * *

(2) The commodities being reexported are not controlled for NP, CB, MT, SI or CC reasons or described in ECCNs 0A919, 3A001.b.2 or b.3 (except those that are being reexported for use in civil telecommunications applications), 6A002, 6A003, or 6A990; and

* * * * *

(b) * * *

(1) Eligible commodities may be reexported to and among destinations in Country Group A:1 and Hong Kong for use or consumption within a destination in Country Group A:1 (see Supplement No. 1 to part 740) or Hong Kong, or for reexport from such country in accordance with other provisions of the EAR.

(2) Commodities not eligible for reexport under paragraph (b)(1) are:

(i) Commodities controlled for nuclear nonproliferation or missile technology reasons;

(ii) Commodities in 3A001.b.2 or b.3 (except those that are being reexported for use in civil telecommunications applications);

(iii) ''Military commodities'' described in ECCN 0A919;

(iv) Commodities described in ECCN 0A987 that incorporate an image intensifier tube; or

(v) Commodities described in ECCNs 6A002 or 6A990.

(3) Cameras described in ECCNs 6A003 may be exported or reexported to and among countries in Country Group A:1 (see Supplement No. 1 to this part) if:

(i) Such cameras are fully packaged for use as consumer ready civil products; or

(ii) Such cameras with not more than 111,000 elements are to be embedded in civil products.

* * * * *

■ 6. Section 740.20 is amended by revising paragraphs (b)(2)(ii) and (b)(2)(x), to read as follows:

§ 740.20 License Exception Strategic Trade Authorization (STA).

* * * * *

(b) * * *

(2) * * *

(ii) License Exception STA may not be used for any item controlled under ECCNs 0A981, 0A982, 0A983, 0A985, 0E982, or 0E987.

* * * * *

(x) License Exception STA may not be used for items controlled by ECCNs 6A002; 6A990; 6D002 (software ''specially designed'' for the ''use'' of commodities controlled under 6A002.b); 6D003.c; 6D991 (software ''specially designed'' for the ''development,'' ''production,'' or ''use'' of commodities controlled under 6A002, 6A003, or 6A990); 6E001 (''technology'' for the ''development'' of commodities controlled under ECCNs 6A002 or 6A003); 6E002 ''technology'' (for the ''production'' of commodities controlled under ECCNs 6A002 or 6A003); or 6E990.

* * * * *

PART 742—[AMENDED]

■ 7. The authority citation for part 742 continues to read as follows: 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* 22 U.S.C. 3201 *et seq.;* 42 U.S.C. 2139a; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; Sec. 1503, Pub. L. 108–11, 117 Stat. 559; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Presidential Determination 2003–23, 68 FR 26459, 3 CFR, 2004 Comp., p. 320; Notice of November 12, 2015, 80 FR 70667 (November 13, 2015); Notice of August 4, 2016, 81 FR 52587 (August 8, 2016).

■ 8. Section 742.6 is amended by revising paragraph (b)(1) to read as follows:

§ 742.6 Regional stability.

* * * * *

(b) * * *

(1) *Licensing policy for RS Column 1 items.* (i) Applications for exports and reexports of 9x515 and ''600 series'' items will be reviewed on a case-by-case basis to determine whether the transaction is contrary to the national security or foreign policy interests of the United States, including the foreign policy interest of promoting the observance of human rights throughout the world. Other applications for exports and reexports described in paragraph (a)(1), (2), (6), or (7) of this section will be reviewed on a case-by-case basis to determine whether the export or reexport could contribute directly or indirectly to any country's military capabilities in a manner that would alter or destabilize a region's military balance contrary to the foreign policy interests of the United States. Applications for reexports of items described in paragraph (a)(3) of this section will be reviewed applying the policies for similar commodities that are subject to the ITAR. Applications for export or reexport of items classified under any 9x515 or ''600 series'' ECCN requiring a license in accordance with paragraph (a)(1) of this section will also be reviewed consistent with United States arms embargo policies in § 126.1 of the ITAR if destined to a country set forth in Country Group D:5 in Supplement No. 1 to part 740 of the EAR. Applications for export or reexport of ''parts,'' ''components,'' ''accessories,'' ''attachments,'' ''software,'' or ''technology'' ''specially designed'' or otherwise required for the F–14 aircraft will generally be denied. When destined to the People's Republic of China or a country listed in Country Group E:1 in Supplement No. 1 to part 740 of the EAR, items classified under any 9x515 ECCN will be subject to a policy of denial.

(ii) Applications for exports and reexports to a country listed in Country Group D:5 (in Supplement No. 1 to part

740 of the EAR) of technology controlled under 6E001 for the development of focal plane arrays or image intensifier tubes described in 6A002, technology controlled under 6E002 for the production of focal plane arrays or image intensifier tubes described in 6A002, or technology controlled under 6E990 will be reviewed with a presumption of denial.

* * * * *

PART 744—[AMENDED]

■ 9. The authority citation for part 744 continues to read as follows:

Authority: 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* 22 U.S.C. 3201 *et seq.;* 42 U.S.C. 2139a; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 12947, 60 FR 5079, 3 CFR, 1995 Comp., p. 356; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p. 208; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; Notice of September 18, 2015, 80 FR 57281 (September 22, 2015); Notice of November 12, 2015, 80 FR 70667 (November 13, 2015); Notice of January 20, 2016, 81 FR 3937 (January 22, 2016); Notice of August 4, 2016, 81 FR 52587 (August 8, 2016).

■ 10. Section 744.9 is amended by revising the section heading and paragraphs (a) and (b) to read as follows:

§ 744.9 Restrictions on exports, reexports, and transfers (in-country) of certain cameras, systems, or related components.

(a) *General prohibitions.* (1) In addition to the applicable license requirements for national security, regional stability, anti-terrorism and United Nations embargo reasons in §§ 742.4, 742.6, 742.8, 746.1(b), and 746.3 of the EAR, a license is required to export, reexport, or transfer (in-country) to any destination other than Canada commodities described in ECCNs 0A987 (incorporating commodities controlled by ECCNs 6A002 or 6A003, or commodities controlled by 6A993.a that meet the criterion of Note 3.a to 6A003.b.4), 6A002, 6A003, 6A990, or 6A993.a (having a maximum frame rate equal to or less than 9 Hz and thus meeting the criteria of Note 3.a to 6A003.b.4), or 8A002.d if at the time of export, reexport, or transfer, the exporter, reexporter, or transferor knows or is informed that the item will be or is intended to be:

(i) Used by a ''military end-user,'' as defined in paragraph (d) of this section; or

(ii) Incorporated into a ''military commodity'' controlled by ECCN 0A919.

(2) The license requirement described in paragraph (a)(1) of this section does not apply to exports, reexports, or transfers (in-country) of items described in that paragraph when such items are being reexported or transferred as part of a military deployment by a unit of the government of a country in Country Group A:1 (see Supplement No. 1 to part 740).

(b) *Additional prohibition on exporters, reexporters, or transferors informed by BIS.* BIS may inform an exporter, reexporter, or transferor, either individually by specific notice or through amendment to the EAR, that a license is required for the export, reexport, or transfer of commodities described in ECCNs 0A987 (incorporating commodities controlled by ECCNs 6A002 or 6A003, or commodities controlled by 6A993.a that meet the criterion of Note 3.a to 6A003.b.4), 6A002, 6A003, 6A990, or 6A993.a (having a maximum frame rate equal to or less than 9 Hz and thus meeting the criteria of Note 3.a to 6A003.b.4), or 8A002.d to specified end users, because BIS has determined that there is an unacceptable risk of diversion to the users or unauthorized incorporation into the ''military commodities'' described in paragraph (a) of this section. Specific notice is to be given only by, or at the direction of, the Deputy Assistant Secretary for Export Administration. When such notice is provided orally, it will be followed by a written notice within two working days signed by the Deputy Assistant Secretary for Export Administration.

* * * * *

PART 772—[AMENDED]

■ 11. The authority citation for part 772 continues to read as follows:

Authority: 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 4, 2016, 81 FR 52587 (August 8, 2016).

■ 12. Section 772.1 is amended by revising the last sentence in Note 1 to the definition of ''specially designed,'' to read as follows:

§ 772.1 Definitions of terms as used in the Export Administration Regulations (EAR).

* * * * *

Specially designed. * * *

Note 1: * * * For purposes of ''specially designed,'' ECCNs 0B986, 0B999, 0D999, 1B999, 1C992, 1C995, 1C997, 1C999, 6A998 (except for .b), and 9A991 are treated as ECCNs controlled exclusively for AT reasons.

* * * * *

PART 774—[AMENDED]

■ 13. The authority citation for part 774 continues to read as follows:

Authority: 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* 10 U.S.C. 7420; 10 U.S.C. 7430(e); 22 U.S.C. 287c, 22 U.S.C. 3201 *et seq.;* 22 U.S.C. 6004; 42 U.S.C. 2139a; 15 U.S.C. 1824a; 50 U.S.C. 4305; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 4, 2016, 81 FR 52587 (August 8, 2016).

Supplement No. 1 to Part 774 [Amended]

■ 14. In Supplement No. 1 to part 774, Category 0, ECCN 0A919 is amended by revising the Items paragraph of the List of Items Controlled section to read as follows:

* * * * *

0A919 ''Military commodities'' located and produced outside the United States as follows (see List of Items Controlled).

* * * * *

List of Items Controlled

* * * * *

Items:

a. ''Military commodities'' produced and located outside the United States that are not subject to the International Traffic in Arms Regulations (22 CFR parts 120–130) and having any of the following characteristics:

a.1. Incorporate more than a *de minimis* amount of U.S.-origin controlled content classified under ECCNs 6A002, 6A003, 6A990, or 6A993.a (having a maximum frame rate equal to or less than 9 Hz and thus meeting the criterion of Note 3.a to 6A003.b.4);

a.2. Incorporate more than a *de minimis* amount of U.S.-origin ''600 series'' controlled content (see § 734.4 of the EAR); *or*

a.3. Are direct products of U.S.-origin ''600 series'' technology or software (see § 736.2(b)(3) of the EAR).

b. [Reserved]

■ 15. In Supplement No. 1 to part 774, Category 0, ECCN 0A987 is amended by:

■ a. Revising the Related Controls paragraph in the List of Items Controlled section;

■ b. Revising paragraph f. in the Items paragraph in the List of Items Controlled section; and

■ c. Adding a note to 0A987.f.

The revisions and addition read as follows:

0A987 Optical sighting devices for firearms (including shotguns controlled by 0A984); and ''components'' as follows (See List of Items Controlled).

* * * * *

List of Items Controlled

Related Controls: (1) See USML Category I(f) for riflescopes subject to the ITAR that are not night sighting devices. (2) See USML Category XII(c) for sighting devices using second generation image intensifier tubes having luminous sensitivity greater than 350 μA/lm, or third generation or higher image intensifier tubes, that are subject to the ITAR. (3) See USML Category XII(b) for laser aiming or laser illumination systems subject to the ITAR. (4) Section 744.9 imposes a license requirement on certain commodities described in 0A987 if being exported, reexported, or transferred (in-country) for use by a military end-user or for incorporation into an item controlled by ECCN 0A919.

* * * * *

Items:

* * * * *

f. Laser aiming devices or laser illuminators ''specially designed'' for use on firearms, and having an operational wavelength exceeding 400 nm but not exceeding 710 nm.

Note: 0A987.f does not control laser boresighting devices that must be placed in the bore or chamber to provide a reference for aligning the firearms sights.

* * * * *

■ 16. In Supplement No. 1 to part 774, Category 0, add ECCN 0E987 between ECCN 0E984 and EAR99 to read as follows:

0E987 ''Technology'' ''required'' for the ''development,'' or ''production'' of commodities controlled by 0A987 that incorporate a focal plane array or image intensifier tube.

License Requirements

Reason for Control: RS, AT

Control(s)	*Country chart (See supp. No. 1 to part 738)*
RS applies to entire entry.	RS Column 1
AT applies to entire entry.	AT Column 1

List Based License Exceptions (See Part 740 for a Description of All License Exceptions)

CIV: N/A
TSR: N/A

List of Items Controlled

Related Controls: N/A
Related Definitions: N/A
Items:

The list of items controlled is contained in the ECCN heading.

■ 17. In Supplement No. 1 to part 774, Category 2, ECCN 2A984 is amended by revising the heading and Note 1 of the Related Controls paragraph in the List of Items Controlled section to read as follows:

2A984 Concealed object detection equipment operating in the frequency range from 30 GHz to 3000 GHz and having a spatial resolution of 0.1 milliradian up to and including 1 milliradian at a standoff distance of 100 meters; and ''parts'' and ''components,'' n.e.s.

* * * * *

List of Items Controlled

Related Controls: (1) Concealed object detection equipment operating in the frequency range from 30 GHz to 3000 GHz and having a spatial resolution less than 0.1 milliradian (a lower milliradian number means a more accurate image resolution) at a standoff distance of 100 meters is ''subject to the ITAR'' under USML Category XII(c). * * *

* * * * *

■ 18. In Supplement No. 1 to part 774, Category 6, ECCN 6A002 is amended by:
■ a. Removing the ''Special Conditions for STA'' section; and
■ b. Revising the Related Controls paragraph in the List of Items Controlled section.

The revision reads as follows:

6A002 Optical sensors and equipment and ''components'' therefor, as follows (see List of Items Controlled).

* * * * *

List of Items Controlled

* * * * *

Related Controls: (1) See USML Category XII(e)for infrared focal plane arrays, image intensifier tubes, and related parts and components, subject to the ITAR. (2) See USML Category XV(e) for space-qualified focal plane arrays subject to the ITAR. (3) See also ECCNs 6A102, 6A202, and 6A992. (4) See ECCN 0A919 for foreign-made military commodities that incorporate commodities described in 6A002. (5) Section 744.9 imposes a license requirement on commodities described in ECCN 6A002 if being exported, reexported, or transferred (in-country) for use by a military end-user or for incorporation into an item controlled by ECCN 0A919.

* * * * *

■ 19. In Supplement No. 1 to part 774, Category 6, ECCN 6A003 is amended by:
■ a. Adding a License Requirement Note in the License Requirements section;
■ b. Revising notes 3 and 4 in the Related Controls paragraph in the List of Items Controlled section; and
■ c. Adding note 5 to the Related Controls paragraph in the List of Items Controlled section.

The additions and revisions read as follows:

6A003 Cameras, systems or equipment, and ''components'' therefor, as follows (see List of Items Controlled).

License Requirements

* * * * *

License Requirement Note: Commodities that are not subject to the ITAR but are of the type described in USML Category XII(c) are controlled as cameras in ECCN 6A003 when they incorporate a camera controlled in this ECCN.

* * * * *

List of Items Controlled

* * * * *

Related Controls: * * * (3) See ECCN 0A919 for foreign made military commodities that incorporate cameras described in 6A003. (4) Section 744.9 imposes a license requirement on cameras described in 6A003 if being exported, reexported, or transferred (in-country) for use by a military end-user or for incorporation into a commodity controlled by ECCN 0A919. (5) See USML Category XII(c) and (e) for cameras subject to the ITAR.

* * * * *

■ 20. In Supplement No. 1 to part 774, Category 6, ECCN 6A004 is amended by revising the Related Controls paragraph in the List of Items Controlled section to read as follows:

6A004 Optical equipment and ''components,'' as follows (see List of Items Controlled).

* * * * *

List of Items Controlled

* * * * *

Related Controls: (1) For optical mirrors or 'aspheric optical elements' ''specially designed'' for lithography ''equipment,'' see ECCN 3B001. (2) See USML Category XII(e) for gimbals ''subject to the ITAR.'' (3) See also 6A994.

* * * * *

■ 21. In Supplement No. 1 to part 774, Category 6, ECCN 6A005 is amended by revising the last two sentences in the Related Controls paragraph in the List of Items Controlled section to read as follows:

6A005 ''Lasers,'' ''components'' and optical equipment, as follows (see List of Items Controlled), excluding items that are subject to the export licensing authority of the Nuclear Regulatory Commission (see 10 CFR part 110).

* * * * *

List of Items Controlled

* * * * *

Related Controls: * * * (6) See USML Category XII(b) and (e) for laser systems or lasers subject to the ITAR. (7) See USML Category XVIII for certain laser-based directed energy weapon systems, equipment, and components subject to the ITAR.

* * * * *

■ 22. In Supplement No. 1 to part 774, Category 6, ECCN 6A007 is amended by revising the Related Controls paragraph in the List of Items Controlled section to read as follows:

6A007 Gravity meters (gravimeters) and gravity gradiometers, as follows (see List of Items Controlled).

* * * * *

List of Items Controlled

Related Controls: (1) See USML Category XII(d) for certain gravity meters (gravimeters) and gravity gradiometers subject to the ITAR. (2) See also ECCNs 6A107, 6A997, and 7A611.

* * * * *

■ 23. In Supplement No. 1 to part 774, Category 6, ECCN 6A008 is amended by revising the Related Controls paragraph in the List of Items Controlled section to read as follows:

6A008 Radar systems, equipment and assemblies, having any of the following (see List of Items Controlled), and ''specially designed'' ''components'' therefor.

* * * * *

List of Items Controlled

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Related Controls: (1) This entry does not control: Secondary surveillance radar (SSR); Car radar designed for collision prevention; Displays or monitors used for Air Traffic Control (ATC) having no more than 12 resolvable elements per mm; Meteorological (weather) radar. (2) See also ECCNs 6A108 and 6A998. ECCN 6A998 controls, *inter alia,* the Light Detection and Ranging (LIDAR) equipment excluded by the note to paragraph j of this ECCN (6A008). (3) See USML Category XII(b) for certain LIDAR, Laser Detection and Ranging (LADAR), or range-gated systems subject to the ITAR.

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■ 24. In Supplement No. 1 to part 774, Category 6, ECCN 6A107 is amended by revising the Related Controls paragraph in the List of Items Controlled section to read as follows:

6A107 Gravity meters (gravimeters) or gravity gradiometers, other than those controlled by 6A007, designed or modified for airborne or marine use, as follows, (see List of Items Controlled) and ''specially designed'' ''parts'' and ''components'' therefor.

* * * * *

List of Items Controlled

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Related Controls: See USML Category XII(d) for certain gravity meters (gravimeters) or gravity gradiometers subject to the ITAR. See also ECCN 7A611.

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■ 25. In Supplement No. 1 to part 774, Category 6, ECCN 6A611 is revised to read as follows:

6A611 Acoustic systems and equipment, radar, and ''parts,'' ''components,'' ''accessories,'' and ''attachments'' ''specially designed'' therefor, ''specially designed'' for a military application that are not enumerated in any USML category or other ECCN are controlled by ECCN 3A611. Military fire control, laser, imaging, and guidance equipment that are not enumerated in any USML category or ECCN are controlled by ECCN 7A611.

■ 26. In Supplement No. 1 to part 774, Category 6, ECCN 6A990 is revised to read as follows:

6A990 Read-out integrated circuits, as follows (see List of Items Controlled).

License Requirements

Reason for Control: RS, AT

Control(s)	*Country chart (see supp. No. 1 to part 738)*
RS applies to entire entry.	RS Column 1
AT applies to entire entry.	AT Column 1

List Based License Exceptions (See Part 740 for a Description of All License Exceptions)

LVS: $500
GBS: N/A
CIV: N/A

List of Items Controlled

Related Controls: (1) See USML Categories XII(e) and XV(e)(3) for read-out integrated circuits ''subject to the ITAR.'' (2) See ECCN 0A919 for foreign made military commodities that incorporate commodities described in 6A990. (3) Section 744.9 imposes a license requirement on commodities described in 6A990 if being exported, reexported, or transferred (in-country) for use by a military end-user or for incorporation into a commodity controlled by ECCN 0A919.
Related Definitions: N/A
Items:

a. Read-out integrated circuits ''specially designed'' for ''focal plane arrays'' controlled by 6A002.a.3;

Note: 6A990.a does not control read-out integrated circuits ''specially designed'' for civil automotive applications.

b. [RESERVED]

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■ 27. In Supplement No. 1 to part 774, Category 6, ECCN 6A993 is amended by revising the Related Controls paragraph in the List of Items Controlled section to read as follows:

6A993 Cameras, not controlled by 6A003 or 6A203, as follows (see List of Items Controlled).

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List of Items Controlled

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Related Controls: (1) See ECCN 0A919 for foreign made military commodities that incorporate cameras described in 6A993.a that meet the criteria specified in Note 3.a to 6A003.b.4.b (*i.e.,* having a maximum frame rate equal to or less than 9 Hz). (2) Section 744.9 imposes license requirements on cameras described in 6A993.a as a result of meeting the criteria specified in Note 3.a to 6A003.b.4.b (*i.e.,* having a maximum frame rate equal to or less than 9 Hz) if being exported, reexported, or transferred (in-country) for use by a military end-user or for incorporation into a commodity controlled by ECCN 0A919.

* * * * *

■ 28. In Supplement No. 1 to part 774, Category 6, ECCN 6D002 is amended by revising the TSR paragraph in the List Based License Exceptions section and the Related Controls paragraph in the List of Items Controlled section to read as follows:

6D002 ''Software'' ''specially designed'' for the ''use'' of equipment controlled by 6A002.b, 6A008 or 6B008.

* * * * *

List Based License Exceptions (See Part 740 for a Description of All License Exceptions)

* * * * *

TSR: Yes, except N/A for the following: (1) Items controlled for MT reasons; (2) ''Software'' ''specially designed'' for the ''use'' of ''space qualified'' ''laser'' radar or Light Detection and Ranging (LIDAR) equipment defined in 6A008.j.1; or (3) ''Software'' ''specially designed'' for the ''use'' of commodities controlled by 6A002.b.

List of Items Controlled

* * * * *

Related Controls: (1) ''Software'' ''specially designed'' for the ''use'' of ''space-qualified'' LIDAR ''equipment'' ''specially designed'' for surveying or for meteorological observation, released from control under the note in 6A008.j, is controlled in 6D991. (2) See also ECCNs 6D102, 6D991, and 6D992.

* * * * *

■ 29. In Supplement No. 1 to part 774, Category 6, ECCN 6D003 is amended by revising the TSR paragraph in the List Based License Exceptions section and the Related Controls paragraph in the List of Items Controlled section to read as follows:

6D003 Other ''software'' as follows (see List of Items Controlled).

* * * * *

List Based License Exceptions (See Part 740 for a Description of All License Exceptions)

* * * * *

TSR: Yes, except for 6D003.c and exports or reexports to destinations outside of those countries listed in Country Group A:5 (See Supplement No. 1 to part 740 of the EAR) of ''software'' for items controlled by 6D003.a.

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List of Items Controlled

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Related Controls: See also ECCNs 6D103, 6D991, and 6D993.

* * * * *

■ 30. In Supplement No. 1 to part 774, Category 6, ECCN 6D991 is revised to read as follows:

6D991 ''Software,'' n.e.s., ''specially designed'' for the ''development'', ''production'', or ''use'' of commodities controlled by 6A002, 6A003, 6A990, 6A991, 6A996, 6A997, or 6A998.

License Requirements

Reason for Control: RS, AT

Control(s)	*Country chart (see supp. No. 1 to part 738)*
RS applies to ''software'' for commodities controlled by 6A002, 6A003, 6A990, or 6A998.b.	RS Column 1
RS applies to ''software'' for commodities controlled by 6A998.c.	RS Column 2
AT applies to entire entry, except ''software'' for commodities controlled by 6A991.	AT Column 1
AT applies to ''software'' for commodities controlled by 6A991.	AT Column 2

List Based License Exceptions (See Part 740 for a description of all license exceptions)

CIV: N/A
TSR: N/A

List of Items Controlled

Related Controls: (1) See ECCN 6D002 for ''software'' ''specially designed'' for the ''use'' of commodities controlled under ECCN 6A002.b. (2) See ECCN 6D003.c for ''software'' ''specially designed'' for cameras incorporating ''focal plane arrays'' specified by 6A002.a.3.f and ''specially designed'' to remove a frame rate restriction and allow the camera to exceed the frame rate specified in 6A003.b.4 Note 3.a.

Related Definitions: N/A

Items:

The list of items controlled is contained in the ECCN heading.

■ 31. In Supplement No. 1 to part 774, Category 6, ECCN 6E001 is amended by revising the TSR paragraph in the List Based License Exceptions section and the Related Controls paragraph in the List of Items Controlled section to read as follows:

6E001 ''Technology'' according to the General Technology Note for the ''development'' of equipment, materials or ''software'' controlled by 6A (except 6A990, 6A991, 6A992, 6A994, 6A995, 6A996, 6A997, 6A998, or 6A999.c), 6B (except 6B995), 6C (except 6C992 or 6C994), or 6D (except 6D991, 6D992, or 6D993).

* * * * *

List Based License Exceptions (See Part 740 for a Description of All License Exceptions)

* * * * *

TSR: Yes, except for the following: (1) Items controlled for MT reasons; (2) ''Technology'' for commodities controlled by 6A002, 6A004.e or 6A008.j.1; (3) ''Technology'' for 6A003 cameras, unless for ''technology'' for the integration of 6A003 cameras into camera systems ''specially designed'' for civil automotive applications; (4) ''Technology'' for ''software'' ''specially designed'' for ''space qualified'' ''laser'' radar or Light Detection and Ranging (LIDAR) equipment defined in 6A008.j.1 and controlled by 6D001 or 6D002; or (5) Exports or reexports to destinations outside of those countries listed in Country Group A:5 (See Supplement No. 1 to part 740 of the EAR) of ''technology'' for the ''development'' of the following: (a) Items controlled by 6A001.a.1.b, 6A001.a.1.e, 6A001.a.2.a.1, 6A001.a.2.a.2, 6A001.a.2.a.3, 6A001.a.2.a.5, 6A001.a.2.a.6, 6A001.a.2.b, 6A001.a.2.d, 6A001.a.2.e., 6A004.c, 6A004.d,, 6A006.a.2, 6A006.c.1, 6A006.d, 6A006.e, 6A008.d, 6A008.h, 6A008.k, 6B008, or 6D003.a; (b) Equipment controlled by 6A001.a.2.c or 6A001.a.2.f when ''specially designed'' for real time applications; or (c) ''Software'' controlled by 6D001 and ''specially designed'' for the ''development'' or ''production'' of equipment controlled by 6B008, or 6D003.a.

* * * * *

List of Items Controlled

Related Controls: (1) Technical data directly related to satellites and all other items described in USML Category XV are subject to the ITAR under USML Category XV(f). (2) Technical data directly related to laser systems, infrared imaging systems, and all other items described in USML Category XII are subject to the ITAR under USML Category XII(f). (3) See also 6E101, 6E201, and 6E991.

* * * * *

■ 32. In Supplement No. 1 to part 774, Category 6, ECCN 6E002 is amended by revising the TSR paragraph in the List Based License Exceptions section and the Related Controls paragraph in the List of Items Controlled section to read as follows:

6E002 ''Technology'' according to the General Technology Note for the ''production'' of equipment or materials controlled by 6A (except 6A990, 6A991, 6A992, 6A994, 6A995, 6A996, 6A997, 6A998 or 6A999.c), 6B (except 6B995) or 6C (except 6C992 or 6C994).

* * * * *

List Based License Exceptions (See Part 740 for a Description of All License Exceptions)

* * * * *

TSR: Yes, except for the following:

(1) Items controlled for MT reasons;

(2) ''Technology'' for commodities controlled by 6A002, 6A004.e, or 6A008.j.1;

(3) ''Technology'' for 6A003 cameras, unless for ''technology'' for the integration of 6A003 cameras into camera systems ''specially designed'' for civil automotive applications ; or

(4) Exports or reexports to destinations outside of those countries listed in Country Group A:5 (See Supplement No. 1 to part 740 of the EAR) of ''technology'' for the ''production'' of the following: (a) Items controlled by 6A001.a.1.b, 6A001.a.1.e, 6A001.a.2.a.1, 6A001.a.2.a.2, 6A001.a.2.a.3, 6A001.a.2.a.5, 6A001.a.2.a.6, 6A001.a.2.b, 6A004.c, 6A004.d, 6A006.a.2, 6A006.c.1, 6A006.d, 6A006.e, 6A008.d, 6A008.h, 6A008.k, or 6B008; and (b) Items controlled by 6A001.a.2.c or 6A001.a.2.f when ''specially designed'' for real time applications.

* * * * *

List of Items Controlled

Related Controls: (1) Technical data directly related to satellites and all other items described in USML Category XV are subject to the ITAR under USML Category XV(f). (2) Technical data directly related to laser systems, infrared imaging systems, and all other items described in USML Category XII are subject to the ITAR under USML Category XII(f). (3) See also 6E992.

* * * * *

■ 33. In Supplement No. 1 to part 774, Category 6, ECCN 6E990 is amended by revising the Related Controls paragraph in the List of Items Controlled section to read as follows:

6E990 ''Technology'' ''required'' for the ''development'' or ''production'' of commodities controlled by ECCN 6A990.

* * * * *

List of Items Controlled

Related Controls: Technical data directly related to read-out integrated circuits described in USML Categories XII(e) or XV(e)(3) is subject to the ITAR under USML Categories XII(f) or XV(f), respectively.

* * * * *

■ 34. In Supplement No. 1 to part 774, Category 7, ECCN 7A001 is amended by revising the Related Controls paragraph in the List of Items Controlled section to read as follows:

7A001 Accelerometers as follows (see List of Items Controlled) and ''specially designed'' ''components'' therefor.

* * * * *

List of Items Controlled

* * * * *

Related Controls: (1) See USML Category XII(e) for accelerometers subject to the ITAR. (2) See also ECCNs 7A101, 7A611, and 7A994. (3) For angular or rotational accelerometers, see ECCN7A001.b. (4) MT

controls do not apply to accelerometers that are ''specially designed'' and developed as Measurement While Drilling (MWD) sensors for use in downhole well service applications.

* * * * *

■ 35. In Supplement No. 1 to part 774, Category 7, ECCN 7A002 is amended by revising the Related Controls paragraph in the List of Items Controlled section to read as follows:

7A002 Gyros or angular rate sensors, having any of the following (see List of Items Controlled) and ''specially designed'' ''components'' therefor.

* * * * *

List of Items Controlled

Related Controls: (1) See USML Category XII(e) for gyros or angular rate sensors subject to the ITAR. (2) See also ECCNs 7A102, 7A611, and 7A994. (3) For angular or rotational accelerometers, see ECCN 7A001.b.

* * * * *

■ 36. In Supplement No. 1 to part 774, Category 7, ECCN 7A003 is amended by revising the Related Controls paragraph in the List of Items Controlled section, to read as follows:

7A003 'Inertial measurement equipment or systems,' having any of the following (see List of Items Controlled).

* * * * *

List of Items Controlled

Related Controls: (1) See also ECCNs 7A103, 7A611, and 7A994. (2) See USML Category XII(d) for guidance or navigation systems subject to the ITAR.

* * * * *

■ 37. In Supplement No. 1 to part 774, Category 7, amend ECCN 7A005 by revising the Related Controls paragraph in the List of Items Controlled section to read as follows:

7A005 Global Navigation Satellite Systems (GNSS) receiving equipment having any of the following (see List of Items Controlled) and ''specially designed'' ''components'' therefor.

* * * * *

List of Items Controlled

Related Controls: (1) See also ECCNs 7A105 and 7A994. Typically commercially available GNSS receivers do not employ decryption or adaptive antennas and are classified as 7A994. (2) See USML Category XII(d) for GNSS receiving equipment subject to the ITAR.

* * * * *

■ 38. In Supplement No. 1 to part 774, Category 7, ECCN 7A101 is amended by revising the Related Controls paragraph in the List of Items Controlled section to read as follows:

7A101 Accelerometers, other than those controlled by 7A001 (see List of Items Controlled), and ''specially designed'' ''parts'' and ''components'' therefor.

* * * * *

List of Items Controlled

Related Controls: (1) See USML Category XII(e) for accelerometers subject to the ITAR. (2) See also ECCNs 7A001 and 7A611. (3) This entry does not control accelerometers that are ''specially designed'' and developed as MWD (Measurement While Drilling) sensors for use in downhole well service operations.

* * * * *

■ 39. In Supplement No. 1 to part 774, Category 7, ECCN 7A102 is amended by revising the Related Controls paragraph in the List of Items Controlled section to read as follows:

7A102 Gyros, other than those controlled by 7A002 (see List of Items Controlled), and ''specially designed'' ''parts'' and ''components'' therefor.

* * * * *

List of Items Controlled

Related Controls: (1) See USML Category XII(e) for gyros or angular rate sensors subject to the ITAR. (2) See also ECCNs 7A002, 7A611, and 7A994.

* * * * *

■ 40. In Supplement No. 1 to part 774, Category 7, ECCN 7A611 is revised to read as follows:

7A611 Military fire control, laser, imaging, and guidance equipment, as follows (see List of Items Controlled).

License Requirements

Reason for Control: NS, MT, RS, AT, UN

Control(s)	*Country chart (see supp. No. 1 to part 738)*
NS applies to entire entry except 7A611.y.	NS Column 1
MT applies to commodities in 7A611.a that meet or exceed the parameters in 7A103.b or .c.	MT Column 1
RS applies to entire entry except 7A611.y.	RS Column 1
AT applies to entire entry.	AT Column 1
UN applies to entire entry except 7A611.y.	See § 746.1(b) for UN controls

List Based License Exceptions (See Part 740 for a Description of All License Exceptions)

LVS: $1500
GBS: N/A
CIV: N/A

Special Conditions for STA

STA: Paragraph (c)(2) of License Exception STA (§ 740.20(c)(2) of the EAR) may not be used for any item in 7A611.

List of Items Controlled

Related Controls: (1) Military fire control, laser, imaging, and guidance equipment that are enumerated in USML Category XII, and technical data (including software) directly related thereto, are subject to the ITAR. (2) See Related Controls in ECCNs 0A987, 2A984, 6A002, 6A003, 6A004, 6A005, 6A007, 6A008, 6A107, 7A001, 7A002, 7A003, 7A005, 7A101, 7A102, and 7A103. (3) See ECCN 3A611 and USML Category XI for controls on countermeasure equipment. (4) See ECCN 0A919 for foreign-made ''military commodities'' that incorporate more than a *de minimis* amount of U.S. origin ''600 series'' controlled content.

Related Definitions: N/A

Items:

a. Guidance or navigation systems, not elsewhere specified on the USML, that are ''specially designed'' for a defense article on the USML or for a 600 series item.

b. to w. [RESERVED]

x. ''Parts,'' ''components,'' ''accessories,'' and ''attachments,'' including accelerometers, gyros, angular rate sensors, gravity meters (gravimeters), and inertial measurement units (IMUs), that are ''specially designed'' for defense articles controlled by USML Category XII or items controlled by 7A611, and that are NOT:

1. Enumerated or controlled in the USML or elsewhere within ECCN 7A611;

2. Described in ECCNs 6A007, 6A107, 7A001, 7A002, 7A003, 7A101, 7A102 or 7A103; or

3. Elsewhere specified in ECCN 7A611.y or 3A611.y.

y. Specific ''parts,'' ''components,'' ''accessories,'' and ''attachments'' ''specially designed'' for a commodity subject to control in this ECCN or a defense article in Category XII and not elsewhere specified on the USML or in the CCL, as follows, and ''parts,'' ''components,'' ''accessories,'' and ''attachments'' ''specially designed'' therefor:

y.1 [RESERVED]

■ 41. In Supplement No. 1 to part 774, Category 7, ECCN 7A994 is revised to read as follows:

7A994 Other navigation direction finding equipment, airborne communication equipment, all aircraft inertial navigation systems not controlled under 7A003 or 7A103, and other avionic equipment, including ''parts'' and ''components,'' n.e.s.

License Requirements

Reason for Control: AT

Control(s)	*Country chart (see supp. No. 1 to part 738)*
AT applies to entire entry.	AT Column 1

License Requirement Notes:

Typically commercially available GPS do not employ decryption or adaptive antenna and are classified as 7A994.

List Based License Exceptions (See Part 740 for a Description of All License Exceptions)

LVS: N/A
GBS: N/A
CIV: N/A

List of Items Controlled

Related Controls: See 7A005 and 7A105.
Related Definitions: N/A
Items: The list of items controlled is contained in the ECCN heading.

* * * * *

■ 42. In Supplement No. 1 to part 774, Category 7, add ECCN 7B611 between ECCNs 7B103 and 7B994 to read as follows:

7B611 Test, inspection, and production commodities ''specially designed'' for military fire control, laser, imaging, and guidance equipment, as follows (see List of Items Controlled).

License Requirements

Reason for Control: NS, MT, RS, AT, UN

Control(s)	*Country chart (see supp. No. 1 to part 738)*
NS applies to entire entry.	NS Column 1
MT applies to 7B611.a commodities ''specially designed'' for 7A611.a commodities controlled for MT reasons.	MT Column 1
RS applies to entire entry.	RS Column 1
AT applies to entire entry.	AT Column 1
UN applies to entire entry.	See § 746.1(b) for UN controls

List Based License Exceptions (See Part 740 for a Description of All License Exceptions)

LVS: $1500
GBS: N/A
CIV: N/A

Special Conditions for STA

STA: Paragraph (c)(2) of License Exception STA (§ 740.20(c)(2) of the EAR) may not be used for any item in 7B611.

List of Items Controlled

Related Controls: N/A
Related Definitions: N/A
Items:

a. Test, inspection, and production end items and equipment ''specially designed'' for the ''development,'' ''production,'' repair, overhaul, or refurbishing of commodities controlled in ECCN 7A611 (except 7A611.y) or commodities in USML Category XII that are not enumerated in USML Category XII or controlled by another ''600 series'' ECCN.

b. Environmental test facilities ''specially designed'' for the certification, qualification, or testing of commodities controlled in ECCN 7A611 (except 7A611.y) or guidance equipment in USML Category XII that are not enumerated in USML Category XII or controlled by another ''600 series'' ECCN.

c. Field test equipment ''specially designed'' to evaluate or calibrate the operation of systems described in USML Category XII(a), (b), or (c).

d. to w. [RESERVED]

x. ''Parts,'' ''components,'' ''accessories,'' and ''attachments'' that are ''specially designed'' for a commodity listed in this entry and that are not enumerated on the USML or controlled by another ''600 series'' ECCN.

■ 43. In Supplement No. 1 to part 774, Category 7, add ECCN 7D611 between ECCNs 7D103 and 7D994 to read as follows:

7D611 ''Software'' ''specially designed'' for commodities controlled by 7A611 or equipment controlled by 7B611, as follows (see List of Items Controlled).

License Requirements

Reason for Control: NS, MT, RS, AT, UN

Control(s)	*Country chart (see supp. No. 1 to part 738)*
NS applies to entire entry except 7D611.y.	NS Column 1
MT applies to 7D611.a ''software'' ''specially designed'' for 7A611.a commodities controlled for MT reasons.	MT Column 1
RS applies to entire entry except 7D611.y.	RS Column 1
AT applies to entire entry.	AT Column 1
UN applies to entire entry except 7D611.y.	See § 746.1(b) for UN controls

List Based License Exceptions (See Part 740 for a Description of All License Exceptions)

CIV: N/A
TSR: N/A

Special Conditions for STA

STA: Paragraph (c)(2) of License Exception STA (§ 740.20(c)(2) of the EAR) may not be used for any software in 7D611.

List of Items Controlled

Related Controls: ''Software'' directly related to articles enumerated in USML Category XII is subject of USML paragraph XII(f).
Related Definitions: N/A
Items:

a. ''Software'' ''specially designed'' for the ''development,'' ''production,'' operation, or maintenance of commodities controlled by ECCNs 7A611 (except 7A611.y) or 7B611.

b. to x. [RESERVED]

y. Specific ''software'' ''specially designed'' for the ''development,'' ''production,'' operation, or maintenance of commodities described in 7A611.y.

■ 44. In Supplement No. 1 to part 774, Category 7, add ECCN 7E611 between ECCNs 7E104 and 7E994 to read as follows:

7E611 ''Technology'' ''required'' for the ''development,'' ''production,'' operation, installation, maintenance, repair, overhaul or refurbishing of commodities controlled by 7A611, commodities controlled by 7B611, or software controlled by 7D611, as follows (see List of Items Controlled).

License Requirements

Reason for Control: NS, MT, RS, AT, UN

Control(s)	*Country chart (see supp. No. 1 to part 738)*
NS applies to entire entry except 7E611.y.	NS Column 1
MT applies to ''technology'' in 7E611.a if ''required'' for items controlled for MT reasons in 7A611.a, 7B611.a, or 7D611.a.	MT Column 1
RS applies to entire entry except 7E611.y.	RS Column 1
AT applies to entire entry.	AT Column 1
UN applies to entire entry except 7E611.y.	See § 746.1(b) for UN controls

List Based License Exceptions (See Part 740 for a Description of All License Exceptions)

CIV: N/A
TSR: N/A

Special Conditions for STA

STA: Paragraph (c)(2) of License Exception STA (§ 740.20(c)(2) of the EAR) may not be used for any technology in 7E611.

List of Items Controlled

Related Controls: Technical data directly related to articles enumerated in USML Category XII are subject to the control of USML Category XII(f).
Related Definitions: N/A
Items:

a. ''Technology'' ''required'' for the ''development,'' ''production,'' operation, installation, maintenance, repair, overhaul, or refurbishing of commodities or ''software'' controlled by ECCN 7A611 (except 7A611.y), 7B611, or 7D611 (except 7D611.y).

b. through .x [RESERVED]

y. Specific ''technology'' ''required'' for the ''production,'' ''development,'' operation, installation, maintenance, repair, or overhaul of commodities or software controlled by ECCNs 7A611.y or 7D611.y.

■ 45. In Supplement No. 1 to part 774, Category 7, ECCN 7E994 is amended by revising the Related Controls paragraph

in the List of Items Controlled section to read as follows:

7E994 ''Technology,'' n.e.s., for the ''development,'' ''production'', or ''use'' of navigation, airborne communication, and other avionics equipment.

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List of Items Controlled

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Related Controls: N/A

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■ 46. In Supplement No. 1 to part 774, Category 8, ECCN 8A002 is amended by adding a sentence to the end of the Related Controls paragraph in the List of Items Controlled section to read as follows:

8A002 Marine systems, equipment, ''parts'' and ''components,'' as follows (see List of Items Controlled).

* * * * *

List of Items Controlled

* * * * *

Related Controls: * * * (5) Section 744.9 imposes a license requirement on commodities described in 8A002.d if being exported, reexported, or transferred (in-country) for use by a military end-user or for incorporation into an item controlled by ECCN 0A919.

* * * * *

■ 47. In Supplement No. 1 to part 774, Category 9, ECCN 9A991 is amended by:

■ a. Removing the License Requirement Notes paragraph in the License Requirements section, and

■ b. Revising the Related Controls paragraph in the List of Items Controlled section.

The revision reads as follows:

9A991 ''Aircraft'', n.e.s., and gas turbine engines not controlled by 9A001 or 9A101 and ''parts'' and ''components,'' n.e.s. (see List of Items Controlled).

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List of Items Controlled

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Related Controls: N/A

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Dated: September 15, 2016.

Kevin J. Wolf,

Assistant Secretary of Commerce for Export Administration.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 807 and 812

[Docket No. FDA–2016–N–2518]

Medical Devices; Custom Devices; Technical Amendment

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; technical amendment.

SUMMARY: The Food and Drug Administration (FDA or Agency) is amending its regulations on the definition of a custom device so as to include new enumerated statutory requirements for custom devices under the Federal Food, Drug, and Cosmetic Act (the FD&C Act) as amended by the Food and Drug Administration Safety and Innovation Act (FDASIA). This new provision, under FDASIA, amends the existing custom device exemption and introduces new concepts and procedures applicable to custom devices. This action is being taken to align the regulations with the FD&C Act.

DATES: This rule is effective October 12, 2016.

FOR FURTHER INFORMATION CONTACT: Erica B. Payne, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5520, Silver Spring, MD 20993, 301–796–3999.

SUPPLEMENTARY INFORMATION:

I. Background

On July 9, 2012, section 617 of FDASIA (Pub. L. 112–144), amended the FD&C Act (21 U.S.C. 301 *et seq.*), to require changes in the implementation of the custom device exemption under section 520(b) of the FD&C Act (21 U.S.C. 360j(b)) (Ref. 1). Under the revised provision, as under the original custom device exemption, a device that meets the qualification of a custom device is exempt from 510(k) and Premarket Approval (PMA) submissions under sections 514 and 515 of the FD&C Act (21 U.S.C. 360d and 360e) (see also §§ 807.85 and 812.3(b) (21 CFR 807.85 and 812.3(b)). Because of the amendments to section 520(b) of the FD&C Act, the current regulatory definition for a custom device, set forth in §§ 807.85(a) and 812.3(b), is no longer consistent with the statute. This technical amendment will correct the regulations by revising the definition of a custom device to restate the statute.

Under existing regulations at § 807.85(a), a custom device is exempt from premarket notification under section 510(k) of the FD&C Act. In the **Federal Register** of August 23, 1977 (42 FR 42520 at 42523), FDA published a final rule establishing the form and manner for 510(k) premarket notifications, which identified a custom device as an exemption from the premarket approval requirement because a principal purpose for requiring 510(k) premarket notification is absent. The final rule explained that the exemption for manufacturers of custom devices is intended to apply only to those who are manufacturing a custom device to fit the needs of a particular patient, so the manufacturer will not be required to file a premarket notification for each particular device.

In the **Federal Register** of January 18, 1980 (45 FR 3732 at 3740), FDA published a final rule setting forth the rules and conditions under which investigations for medical devices involving human subjects may be exempt from certain requirements of the FD&C Act. The 1980 final rule provided clarification for the definition of ''custom devices'' under § 812.3(b) for Investigational Device Exemptions (IDE) unless used to determine safety and effectiveness for commercial distribution. A device used to conduct a clinical trial cannot qualify as a custom device.

Section 520(b) of the FD&C Act, as amended by section 617 of FDASIA, changed some of the criteria to qualify for the custom device exemption, which is different from the criteria currently described in the regulations. The amendment to section 520(b) of the FD&C Act states that a device will qualify as a ''custom device'' by meeting new enumerated statutory requirements, including, among others, the following for each device: (1) Is created or modified in order to comply with the order of an individual physician or dentist (or other specially qualified person); (2) necessarily deviates from an otherwise applicable performance standard under section 514 or requirement under section 515 of the FD&C Act; (3) is not generally available in the United States in finished form through labeling or advertising by the manufacturer, importer, or distributor for commercial distribution; (4) is designed to treat a unique pathology or physiological condition that no other device is domestically available to treat; (5) either (a) is intended to meet the special needs of such physician or dentist in the course of the professional practice of such physician or dentist (or other specially qualified person as designated) in the course of their professional practice or (b) is intended

for use by an individual patient named in the order of a physician or dentist (or other specially qualified person as designated); (6) is assembled from components or manufactured and finished on a case-by-case basis to accommodate the unique needs of individuals, physician, or dentist; and (7) may have common, standardized design characteristics, chemical and material compositions, and manufacturing processes as commercially distributed devices (21 U.S.C. 360j(b)).

The new provisions for the custom device exemption also include the following limitations: (1) The device is for the purpose of treating a ''sufficiently rare condition, such that conducting clinical investigations on such device would be impractical;'' (2) the production of the device must be ''limited to no more than five units per year of a particular device type''; and (3) a manufacturer is required to submit an annual report to FDA on the custom devices it supplied.

This technical amendment to the regulations for the custom device exemption will ensure clarity and consistency with the requirements of the FD&C Act. Some manufacturers might be unaware that certain medical devices that they distribute as custom devices do not meet the statutory definition as currently described in the regulations and are subject to premarket review. Also, FDA issued the final guidance entitled, ''Custom Device Exemption'' (Ref. 2) explaining the new statutory provisions for custom devices. The guidance provides definitions of certain terms used in connection with the custom device exemption and explains how FDA interprets the devices that may qualify for the custom device exemption under section 520(b) of the FD&C Act. The guidance also describes in further detail what information should be submitted in an annual report, and provides recommendations on how to submit an annual report for custom devices distributed under the exemption (Ref. 2). FDA finds good cause for issuing this amendment as a final rule without notice and comment because this amendment only corrects the implementing regulation to restate the statute (5 U.S.C. 553(b)(B)). ''[W]hen regulations merely restate the statute they implement, notice-and-comment procedures are unnecessary.'' *Gray Panthers Advoc. Committee* v. *Sullivan,* 936 F.2d 1284, 1291 (D.C. Cir. 1991). The amendments to §§ 807.85(a) and 812.3(b) merely incorporate applicable requirements of the FD&C Act, making notice-and-comment procedures unnecessary in this case. Therefore, publication of this document constitutes final action on this change under the Administrative Procedure Act (APA) (5 U.S.C. 553).

In addition, FDA finds good cause for these amendments to become effective on the date of publication of this action. The APA allows an effective date less than 30 days after publication as ''provided by the agency for good cause found and published with the rule'' (5 U.S.C. 553(d)(3)). A delayed effective date is unnecessary in this case because the amendments to §§ 807.85 and 812.3(b) do not impose any new regulatory requirements on affected parties. As a result, affected parties do not need time to prepare before the rule takes effect. Therefore, FDA finds good cause for this correction to become effective on the date of publication of this action.

II. References

The following references have been placed on display in the Division of Dockets Management (located at 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852), and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday. (FDA has verified the Web site address, but we are not responsible for any subsequent changes to the Web site after this document publishes in the **Federal Register**.)

1. The Food and Drug Administration Safety and Innovation Act, available at *http://www.fda.gov/RegulatoryInformation/Legislation/SignificantAmendmentstotheFDCAct/FDASIA/ucm20027187.htm* or at *https://www.congress.gov/112/plaws/publ144/PLAW-112publ144.pdf.*

2. Custom Device Exemption; Guidance for Industry and Food and Drug Administration Staff; September 24, 2014, available at *http://www.fda.gov/ucm/groups/fdagov-public/@fdagov-meddev-gen/documents/document/ucm415799.pdf.*

List of Subjects

21 CFR Part 807

Confidential business information, Imports, Medical devices, Reporting and recordkeeping requirements.

21 CFR Part 812

Health records, Medical devices, Medical research, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under the authority delegated to the Commissioner of Food and Drugs, 21 CFR parts 807 and 812 are amended as follows:

PART 807—ESTABLISHMENT REGISTRATION AND DEVICE LISTING FOR MANUFACTURERS AND INTITIAL IMPORTERS OF DEVICES

■ 1. The authority citation for part 807 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 360, 360c, 360e, 360i, 360j, 371, 374, 381, 393; 42 U.S.C. 264, 271.

■ 2. Section 807.85 is amended by revising paragraph (a) introductory text to read as follows:

§ 807.85 Exemption from premarket notification.

(a) A custom device is exempt from premarket notification requirements of this subpart if the device is within the meaning of section 520(b) of the Federal Food, Drug, and Cosmetic Act.

* * * * *

PART 812—INVESTIGATIONAL DEVICE EXEMPTIONS

■ 3. The authority citation for part 812 continues to read as follows:

Authority: 21 U.S.C. 331, 351, 352, 353, 355, 360, 360c-360f, 360h-360j, 371, 372, 374, 379e, 381, 382, 383; 42 U.S.C. 216, 241, 262, 263b-263n.

■ 4. Section 812.3 is amended by revising paragraph (b) to read as follows:

§ 812.3 Definitions.

* * * * *

(b) A custom device means a device within the meaning of section 520(b) of the Federal Food, Drug, and Cosmetic Act.

* * * * *

Dated: October 4, 2016.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2016–24438 Filed 10–11–16; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF STATE

22 CFR Part 121

[Public Notice: 9605]

RIN 1400–AD32

Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category XII

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: As part of the President's Export Control Reform effort, the Department of State amends the International Traffic in Arms Regulations (ITAR) by revising Category

XII (fire control, laser, imaging, and guidance equipment) of the U.S. Munitions List (USML) to remove certain items from control on the USML and to describe more precisely the articles continuing to warrant control on the USML. The Department also amends USML Categories VIII, XIII, and XV to reflect that items previously described in those Categories are now controlled under the revised Category XII or Commerce Control List. Further, the Department revises USML Category XI to move items to the CCL as a result of changes to related control in USML Category XII.

DATES: This rule is effective on December 31, 2016.

FOR FURTHER INFORMATION CONTACT: Mr. C. Edward Peartree, Director, Office of Defense Trade Controls Policy, Department of State, telephone (202) 663–2792; email *DDTCPublicComments@state.gov.* ATTN: Regulatory Change, USML Category XII.

SUPPLEMENTARY INFORMATION: The Directorate of Defense Trade Controls (DDTC), U.S. Department of State, administers the International Traffic in Arms Regulations (ITAR) (22 CFR parts 120–130). The items subject to the jurisdiction of the ITAR, *i.e.,* defense articles, are identified on the ITAR's U.S. Munitions List (USML) (22 CFR 121.1). With few exceptions, items not subject to the export control jurisdiction of the ITAR are subject to the jurisdiction of the Export Administration Regulations (EAR), 15 CFR parts 730–774, which includes the Commerce Control List (CCL) in Supplement No. 1 to Part 774, administered by the Bureau of Industry and Security (BIS), U.S. Department of Commerce. Both the ITAR and the EAR impose license requirements on exports and reexports. Items not subject to the ITAR or to the exclusive licensing jurisdiction of any other set of regulations are subject to the EAR. The revisions contained in this rule are part of the Department of State's retrospective plan under E.O. 13563.

All references to the USML in this rule are to the list of defense articles that are controlled for the purpose of export or temporary import pursuant to the ITAR, and not to the defense articles on the USML that are controlled by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for the purpose of permanent import under its regulations (see 27 CFR part 447). Pursuant to § 38(a)(1) of the Arms Export Control Act (AECA), all defense articles controlled for export or temporary import are part of the USML under the AECA. For the sake of clarity, the list of defense articles controlled by ATF for the purpose of permanent import is the United States Munitions Import List (USMIL). The transfer of defense articles from the ITAR's USML to the EAR's CCL for the purpose of export control does not affect the list of defense articles controlled on the USMIL under the AECA for the purpose of permanent import.

Revision of Category XII

The revision of USML Category XII (RIN 1400–AD32) was first published as a proposed rule on May 5, 2015, for public comment (*see* 80 FR 25821) (1st proposed rule). The comment period ended July 6, 2015. One hundred twenty parties submitted public comments, which were reviewed and considered by the Department and other agencies.

A second proposed rule was published on February 19, 2016 for public comment (*see* 81 FR 8438) (2nd proposed rule). The comment period ended on April 4, 2016. Thirty-eight parties submitted public comments, which were reviewed and considered by the Department and other agencies. The discussion below, regarding items added or modified to Category XII, refers to text proposed in one or both of the two proposed rules, unless otherwise stated.

The majority of the public comments stated that the proposed controls in USML Category XII drew a clear line between the USML and CCL for items that are exclusively military vice those that have commercial and civil applications. Individual commenters addressed specific issues with some of the proposed provisions, which are described below.

General Comments

One commenter requested a 365-day delayed effective date before this final rule goes into effect. The Department does not accept this comment. The rule will be effective on December 31, 2016.

One commenter stated that small businesses face a substantial cost disadvantage when having to deal with export compliance regulations and fees when compared to their larger counterparts, who often have in-house legal counsel and other resources that would be prohibitively expensive for small and mid-size businesses. The commenter requested that the Department enhance export assistance resources, particularly for small businesses. The Department accepts this comment. As part of ECR, the Department and our interagency partners have increased our industry outreach, and particularly our outreach to small and mid-size businesses.

One commenter raised questions regarding the use of the term ''specially designed'' which is set forth in the ITAR at § 120.41. The commenter stated that, as exporters are explicitly authorized to self-determine the jurisdiction of their item, including for those controls that use ''specially designed'' as a control parameter, there may be situations where the U.S. government does not agree with the self-determination. The commenter stated that a number of Department of Commerce license applications have been returned without action due to the U.S. government's uncertainty about the jurisdiction of the item. As the commenter further notes, in such instances, the Department's position is that a Commodity Jurisdiction (CJ) determination is the only official method for determining an item's jurisdiction. The commenter stated that this process is contrary to ECR. The Department does not accept this comment. While exporters are obligated to determine jurisdiction, they must do so correctly. In instances where an exporter submits an application to the Department of Commerce that is incorrect, or potentially incorrect, it is the U.S. government's responsibility to question that self-determination, and the only method for officially resolving questions of jurisdiction is a CJ determination.

The commenter also stated their concern that items may still be within the scope of Category XII, even though the items are not described in the control paragraphs. The commenter posited that there is a policy that the revised Category XII is intended to retain most items on the USML and that, therefore, how an item was controlled under the prior Category XII may still be relevant as to whether that item is controlled in Category XII today. The Department does not accept this comment. While it is true that the transfer to the CCL of lower level military parts and components was greater in other USML categories than in Category XII, it is because the parts and components that will remain in Category XII continue to warrant ITAR control. Through ECR, Category XII, and other USML categories, have been revised to be a positive list of defense articles. If an item is not within the scope of one or more of the control paragraphs, that item is not a defense article and is not ITAR controlled. For additional information, see the Department's Transition Plan, which addresses prior CJ determinations (78 FR 22740, 22747–22751).

One commenter requested that the Department remove the phrases ''specially designed for articles in this subchapter'' and ''specially designed for articles in this category'' and replace them with ''specially designed for a military end user,'' throughout Category XII. The commenter stated that they read the two phrases as overly broad and confusing when applied to academic instrumentation, and were concerned that they will ''catch'' many items designed for civilian use. They also stated concern that there is no contingency to ''release'' items as currently written. The Department does not accept this comment. The Category describes the items that warrant control on the USML.

Specially Designed for a Military End User

The revised USML Category XII introduces a new concept that has not been used in the other revised USML categories, explicitly controlling certain articles based on the original intended end user. In paragraphs (b)(6), (c)(1)(iii), (c)(3), (c)(4)(ii), (c)(5), (c)(6)(viii)(b), and (c)(7)(ii), items are identified as defense articles if they are specially designed for a military end user. The definition of military end user in the new Note to Category XII is borrowed from the EAR (*see* 15 CFR 744.21(g)), as further harmonization under ECR. A military end user is defined as the national armed services, national guard, national police, government intelligence or reconnaissance organizations, or any person or entity whose actions or functions are intended to support military end uses. An item is specially designed for a military end user if it was developed for use by a military end user or users. If an item is developed for both military and non-military end users, or if the item was created for no specific end user, then it is not specially designed for a military end user. Contemporaneous documents are required to support the design intent; otherwise, use by a military end user establishes that the item is specially designed for a military end user.

If exporters are unable to determine the proper jurisdiction of an item, the Department has the CJ process available to provide definitive guidance. A request for a CJ determination under the control text below may be submitted up to 60 days prior to the effective date of this rulemaking.

Many commenters submitted public comments identifying concerns with this control structure. The Department and its interagency partners reviewed these comments and largely agree with the commenters that control based on original design intent is more difficult to implement than a control based on technical parameters. However, the Department initially proposed technical parameter based controls in the 1st proposed rule, and the public comments asserted, to the Department's satisfaction, that commercial and civil variants exist that meet those technical parameters. Therefore, the Department developed and published the ''specially designed for a military end user'' in response to these public comments. The Department cannot yet articulate objective technical criteria that would establish a bright line between military and commercial and civil systems. The public comments to the 1st and 2nd proposed rules also did not identify any such objective criteria for these seven paragraphs. The Department will publish a notice of inquiry (NOI) later this year soliciting public input on suggested control parameters for these seven paragraphs.

One commenter asked whether this control will limit defense articles no longer in development to USML Category XII. The Department acknowledges that once an item is out of development, it is not possible to change the original intended end user of the item. It is for that reason that the Department will consider CJ applications based on information other than documents contemporaneous with the development of the item.

One commenter stated that, while the definition of ''military end user'' is borrowed from the EAR, the purpose of the definition under the EAR is the imposition of a license requirement; it is not appropriate for the ITAR, where the purpose is to determine jurisdiction. Specifically, the commenter noted that the definition would result in commercial infrared cameras being subject to the ITAR. The Department does not accept this comment. While the definition does serve a different purpose under the ITAR than the EAR, it is an established definition. Additionally, the Department notes that the controls on infrared cameras in XII(e)(4) do not use the control parameters ''specially designed for a military end user,'' but rather use the control parameters ''specially designed for an article in the subchapter.'' While both controls use the term ''specially designed,'' defined in § 120.41, they are very different in application. For example, an infrared camera would not be ''specially designed for an article in the subchapter'' if it is used in or with a system subject to the EAR that is in production, under paragraph (b)(3) of § 120.41.

Several commenters stated that it may be difficult for purchasers and subsequent users to know the jurisdictional status of items because they may not be privy to the design intent of the original manufacturer or know all other uses of an item. The Department acknowledges that cooperation with the manufacturer in such cases to identify the proper jurisdiction of USML defense articles is critical for a successful compliance program. Moreover, this provision does not add new obligations on parties because most provisions of the USML in place prior to the reform effort required an investigation into the design intent behind a product's development. The revised USML has substantially reduced the need to conduct such investigations, but has not yet eliminated it.

One commenter requested that the Department revise the note so that, in the absence of contemporaneous documentation, use by a military end user does not establish that an item is specially designed for a military end user, and instead make the note say that use by a commercial/civil end user establishes that an item is not specially designed for a military end user. The Department does not accept this comment. The items controlled under the seven paragraphs that use ''specially designed for a military end user'' are items that warrant ITAR control, even if these items have been used by a commercial/civil end user. However, if such items have transitioned to normal commercial use, the Department would review an application for a CJ requesting the Department to establish that the item is not subject to the ITAR.

One commenter noted that designing an item to a military specification for a military end user will make that item specially designed for a military end user. The Department confirms this comment. However, if the item was originally designed for both military and non-military end users, then the fact that a military specification was included as a design requirement does not render the systems ITAR controlled.

The commenter also noted that making other modifications to a commercially available item for a military end user will make that item specially designed for a military end user. The Department confirms this comment as well because the version modified for a military end user is a different item than the one originally developed for a non-military end user.

Several commenters noted that the definition of ''military end user'' includes national police, and that, in the United States, portions of the U.S. government could meet the definition of

national police. Some commenters requested further clarification on the term's potential scope. The Department confirms that some portions of the U.S. government may qualify as ''national police'' within the definition of ''military end user.'' If you have any questions as to whether a particular project involving a department or agency of the U.S. government is controlled in this paragraph, the Department suggests that you address that issue directly with that department or agency or submit a request for a CJ determination to the Department.

Several commenters stated that the phrase ''. . . any person or entity whose actions or functions are intended to support military end uses'' is very broad. The Department acknowledges that the definition of military end user is broad and intends it to be so.

One commenter asked whether the scope of ''military end uses'' is tied to a ''military end user'' (*i.e.,* are all activities of a ''military end user'' considered ''military end uses''?). The Department notes, as described above, that the definition of ''military end user'' is borrowed from the EAR. The EAR defines ''military end use'' in 15 CFR 744.21(f) as (1) incorporation into an item on the USML or the Wassenaar Arrangement Munitions List (WAML) or military commodities subject to the EAR; or (2) the use, development, or production such items. As the Department is borrowing this phrase from the EAR, the Department may look to the EAR, including the definition of ''military end use,'' for interpretive guidance.

Several commenters stated that it may be difficult to find ''documents contemporaneous with the development'' for items developed in the past. The Department acknowledges that the contemporaneous documentation may not have been created, may no longer exist, or may not be accessible by the person making the determination. However, if an item described in one of the seven paragraphs is used by a military end user, the lack of contemporaneous documentation will require a determination by the applicant that the item is ''specially designed for a military end user'' in the absence of a CJ determination that the item is not subject to the ITAR.

Several commenters noted that items not originally designed for a military end user may be within the scope of the control, because no ''documents contemporaneous with the development'' exist that can substantiate the original intended civil or dual use applications. The Department acknowledges that some items may fall within the scope of the control, even though they were originally developed for civil or dual use applications, because they are now used by a military end user and there is no documentation of the original intention. For the purpose of establishing clear controls, the Department has determined that without such documentation, the items should be USML controlled. However, the Department will consider a request for a CJ determination that the item be determined to be not subject to the ITAR, and may consider any relevant information, such as that which substantiates the original design intent.

One commenter requested that the Department allow a manufacturer to self-determine dual use design intent with post-development documentation. The Department does not accept this comment, as post-development documentation is not a sufficient criteria for self-determination. However, the Department will consider CJ applications supported by post-development documentation.

One commenter stated that one of the purposes of ECR was to avoid design intent based controls. The Department agrees with the commenter that technical parameter based controls are preferred to design intent or end user based controls. However, being unable at this time to determine appropriate technical parameters that differentiate critical military systems from highly capable civil and commercial systems, the Department has adopted the second best option, a design intent based control. As noted above, the Department continues to evaluate the practicality of technical parameter based controls and will be publishing a NOI soliciting public input on suggested control parameters.

One commenter suggested that the Department abandon the term ''military end user'' and replace it with ''military purpose'' and suggested a definition:

> ''Military Purpose'' means that the item is intended to have a unique property that, in and of itself, distinguishes it for the purpose of projecting military force, defending against military force or gathering of intelligence directly related to projecting military force or defending against military force.

The Department does not accept the comment. The term ''military end user'' sufficiently describes those items of most interest to the Department, those that warrant control on the USML, while describing the smallest number of items that do not warrant such control, all of which still have military applications. Additionally, the Department is borrowing the term ''military end user'' and its definition from BIS and that harmonization of terms has independent value under ECR. The definition proposed by the commenter would be more difficult to apply and would not sufficiently describe all of the items that provide the United States with a critical military or intelligence advantage, and is therefore insufficient as a USML control criteria.

One commenter suggested that the Department use specially designed as defined in § 120.41 and state that items in these paragraphs are not eligible for the releases in § 120.41(b). The Department is using specially designed as defined in § 120.41, with the addition of an important caveat. The systems controlled using the ''specially designed for a military end user'' control are systems that would be caught under § 120.41(a)(1), and therefore, the releases in paragraph (b) would not be available. The Department determined that such a control would be too restrictive and has introduced the ability to self-determine jurisdiction based on documents contemporaneous to the development that establish commercial or civil applications, similar to releases (b)(4) and (b)(5) of § 120.41. The characteristic described under § 120.41(a)(1) is being for a military end user, as defined by the Note to Category XII.

The commenter also asked the Department to confirm that the releases in § 120.41(b) apply to the items controlled using ''specially designed for a military end user.'' The Department does not accept this comment. As systems (as opposed to parts, components, accessories, attachments, and software), § 120.41(a)(1) governs the ''specially designed'' analysis and the releases in (b) do not apply.

One commenter stated that the inclusion of the phrase ''specially designed for a military end user'' generally helps address the jurisdiction of off-the-shelf (commercial) items used with defense articles, but notes that there are many situations when off-the-shelf items do not meet the specifications required for scientific instrumentation developed at universities for civilian end uses. The commenter recommends that the use of ''specially designed for a military end user'' be extended to ensure that custom-made items used in conjunction with defense articles for civilian end uses are not ITAR controlled. The Department does not accept this recommendation. The Department does confirm that making a custom item for a civilian end user does not make an item ''specially designed for a military end user'' even if a controlled good is

involved. However, if the control parameter is ''specially designed for an article in this subchapter'' then making a custom item for a defense article would result in the item being a defense article, even if it is for use by a civilian end user.

Paragraph (a)—Fire Control and Tracking Aiming Systems

Paragraph (a) is revised to add subparagraphs (1) through (9) to more clearly describe the articles controlled in (a). Paragraph (a)(2) in the 2nd proposed rule was moved to paragraph (c)(2) in this final rule. This resulted in the remaining subparagraphs of paragraph (a) being renumbered. The Department also reordered subparagraphs (5)–(7) to more logically track the progression of devices, from those that detect ordnance launch, to those that guide the ordnance, and finally to those that track the ordnance. The Department addresses the public comments below.

Paragraph (a)(1) is added for fire control systems.

One commenter requested that the Department clarify the difference between fire control systems in paragraph (a)(1) and the items controlled in paragraphs (a)(2)–(10) of the proposed rule. Because there is a control in paragraph (e) for all specially designed parts and components for fire control systems in paragraph (a)(1) and remote wind-sensing systems specially designed for ballistic-corrected aiming in paragraph (a)(8), but not the other subparagraphs of (a), the commenter stated they were confused about the proper application of the specially designed parts and components controls. The Department confirms that a fire control system is a complex system that may perform some of the functions described in the other subparagraphs within paragraph (a). Additionally, each item described in another subparagraph of paragraph (a) can be a stand-alone system that is not part of a larger fire control system. When such items are part of a fire control system, all specially designed parts and components are controlled for that larger system, including the parts and components of the subsystem that perform the functions described elsewhere in paragraph (a). However, when they are stand-alone systems, or part of systems other than a fire control system, any specially designed parts and components, not elsewhere specified on the USML, would be subject to the EAR and controlled in Export Control Classification Number (ECCN) 7A611.x.

One commenter requested that the Department provide guidance on how to classify items explicitly described by the prior USML Category XII(a) but no longer described on the USML. The commenter specifically identified periscopes and certain weapon sights, weapon aiming systems, and weapon imaging systems. If such items are described in another paragraph on the USML, such as electro-optical periscopes with infrared capabilities in paragraphs (c)(3) of Category XII or weapons sights or imaging systems in paragraph (c)(2) of Category XII, then they are controlled there. If they are a specially designed part or component for a fire control system, then they would be controlled in paragraph (e)(1) of Category XII. If they are not described on the USML, then they would be subject to the EAR and controlled in the appropriate ECCN.

One commenter stated that they did not find Remote Weapons Stations (RWS) or Remote Controlled Weapons Stations (RCWS) within the proposed Category XII. The commenter defines RWS as systems that allow a weapon operator to operate and fire a weapon from inside the protection of a building or a wide variety of vehicle, vessel and aircraft platforms; and a RCWS as essentially the same as a RWS, except that it allows the operator to control the weapon from a distant or remote location. The Department partially accepts this comment. An RCW or RCWS that has a weapon in the system is a Category I or Category II weapons system. An RCW or RCWS that does not have an integrated weapon is a fire control system and is described in paragraph (a)(1).

Paragraph (a)(2), formerly paragraph (a)(3) in the 2nd proposed rule, is added for electronic or optical weapon positioning, laying, or spotting systems. The Department received no comments on this proposed control.

Paragraph (a)(3), formerly paragraph (a)(4) in the 2nd proposed rule, is added for certain laser spot trackers and laser spot detectors that are for laser target designators or coded laser target markers controlled in paragraph (b)(1). The Department revised this control from the 1st proposed rule by tying it to paragraph (b)(1) to more specifically describe the kinds of items controlled by this paragraph. The Department received no comments on this proposed control.

Paragraph (a)(4), formerly paragraph (a)(5) in the 2nd proposed rule, is added for bomb sights and bombing computers. The Department received no comments on this proposed control.

Paragraph (a)(5), formerly paragraph (a)(8) in the 2nd proposed rule, is added for electro-optical systems that automatically detect and locate ordnance launch, blast, or fire. The Department determined that the control text in the 2nd proposed rule was inexact, as it identified weapons launch or fire, where the launch, blast or fire is actually of the ordnance from the weapon. Therefore, the Department revised the control text to more clearly state the scope of the control. The Department received no comments on this proposed control.

Paragraph (a)(6), formerly paragraph (a)(7) in the 2nd proposed rule, is added for electro-optical ordnance guidance systems. The Department received no comments on this proposed control.

Paragraph (a)(7), formerly paragraph (a)(6) in the 2nd proposed rule, is added for missile or ordnance electro-optical tracking systems. One commenter noted that some military sensor pods do not clearly meet the description of paragraph (a)(6) or (a)(7) in the 2nd proposed rule, but which are treated as USML today and which the commenter believes warrant continued USML control. The Department accepts this comment and revised the control to more clearly state the scope of the control is for electro-optical systems for tracking missiles or ordnance. The Department also revised paragraph (c)(3) to describe military reconnaissance, surveillance, target detection, or target acquisition systems, which includes the sensor pods identified by the commenter.

Paragraph (a)(8), formerly paragraph (a)(9) in the 2nd proposed rule, is added for remote wind sensing systems specially designed for ballistic-corrected aiming. One commenter stated that the use of the word remote in the control would remove systems mounted on vehicles from the scope of the control. The Department does not accept this comment. The control text does not require that the wind sensing system be remote from the weapons system. The systems described in paragraph (a)(8) are those that sense the wind at a remote location to provide ballistic corrected aiming for the delivery of munitions or ordnance to a target, presumably at, or near the location where the wind is being sensed.

Paragraph (a)(9), formerly paragraph (a)(10) in the 2nd proposed rule, is added for certain helmet mounted display (HMD) systems. The Department redrafted the control to maintain the scope, but make it easier to read. The Department also moved the exemplary parenthetical in the 2nd proposed rule to its new location in order to clarify the

types of items intended to be captured by the control.

One commenter stated that the control is difficult to read and that the commenter read it to control HMDs that have the ability to connect to a weapons sight. The Department accepts this comment and has revised the control text by setting out the various elements in subparagraphs to more clearly articulate the scope of the control. The Department also confirms that the paragraph does not control a HMD solely on the basis of being capable of connecting to a weapons sight.

One commenter noted that the control is designated Significant Military Equipment (SME), as is all of paragraph (a), but that it controls equipment very similar to the HMDs controlled in Category VIII, which are not designated SME. The Department accepts this comment and has removed the SME designation from this control.

One commenter requested that the Department add ''specially designed for military end use'' to this control. The Department does not accept this comment. The items described in this control have significant military utility and no non-military applications have been identified.

Paragraph (b)—Laser Systems

Paragraph (b) is revised to add subparagraphs (1) through (7) to more clearly describe the articles controlled in (b). Controls on lasers and others parts and components of laser systems are moved to paragraph (e).

Paragraph (b)(1) is added for laser target designators or coded target markers that mediate the delivery of ordnance to a target. The Department received no comments on this proposed control.

Paragraph (b)(2) is added for infrared laser target illumination systems having a variable beam divergence. The Department made the control text from the 2nd proposed rule more specific by adding ''or track'' to more completely describe the defense articles controlled by this paragraph.

One commenter requested that the Department define ''target'' and limit the control to only laser-based illumination systems that are designed and intended for use with weapons systems or other military applications. The Department does not accept this comment. The Department believes that the systems described by the control, variable beam infrared target illumination systems, are used primarily by the military and the commenter provided no specific examples of civil or commercial systems.

One commenter requested that the Department add ''specially designed for military end use'' to the control. The Department does not accept this comment. The systems identified by the commenter are not variable beam systems, and no such non-military systems have been identified. Thus, there is no reason to so limit the control because it already only controls military systems.

Paragraph (b)(3) is added for certain laser range finders that either: (1) operate at a wavelength of 1064 nm and have a Q-switched pulse output, or (2) operate in excess of 1064 nm and meet certain technical parameters. The Department revised subparagraph (A) to clarify that systems that send out multiple laser pulses within one second are also within the scope of the control.

One commenter stated that laser range finders are ubiquitous and used in civil and commercial applications involving light detection and ranging (LIDAR) and laser detection and ranging (LADAR), and requested that the Department replace the control parameters with ''specially designed for military end use.'' The Department does not accept this comment. This control is for stand-alone laser range finders, the LIDAR and LADAR systems on the USML are described in paragraph (b)(6).

One commenter stated that civil and commercial systems use long range laser range finders and requested that the Department revise the control to state: ''A system which is capable of calculating a certified Category I or II target location solution, using navigation data embedded in the system or externally supplied, and laser rangefinder data.'' The Department does not accept this comment. The civil applications identified by the commenter do not meet the accuracy parameters of the control text.

Paragraph (b)(4) is added for certain targeting or target location systems. One commenter stated that the control would describe commercial and civil systems, such as robotic package handling. The Department does not accept the comment because the control requires that the item include a Global Navigation Satellite System (GNSS), guidance, or navigation defense article controlled in paragraph (d). The Department has revised the text of the control to more clearly describe the items controlled.

Paragraph (b)(5) is added for optical augmentation systems. Several commenters stated that commercial and civil systems use infrared retroflectance, such as commercial automotive, biometric, and 3D imaging, and requested that the Department remove the word ''personnel'' and insert the descriptor ''military.'' The Department partially accepts the comment by removing the word ''personnel,'' which addresses the applications identified by the commenters. The Department does not believe that the civil or automotive applications described by the commenters meet the control text. However, if there is any confusion regarding the jurisdiction of a specific item, the Department encourages exporters to submit a request for a CJ determination.

Paragraph (b)(6) is added for light detection and ranging (LIDAR), laser detection and ranging (LADAR), or range-gated systems specially designed for a military end user. One commenter stated inclusion of the phrase ''specially designed for a military end user'' resolves any question regarding the jurisdiction of their meteorological LIDARs. The Department accepts the comment.

Paragraph (b)(7) is added for developmental lasers and laser systems funded by the Department of Defense (DoD), with certain exceptions. Several commenters submitted comments on (b)(7), as well as the other developmental paragraphs in the 2nd proposed rule, paragraphs (c)(9), (d)(6) and (e)(23), now paragraphs (c)(10), (d)(6) and (e)(24). The Department does not accept these comments.

Several commenters stated that controlling future systems during their development based solely on DoD funding improperly presumed that all items funded by the DoD under this category are for military end use, that such a control would impede multi-source funding by universities and companies, and that DoD contracting officers may not be willing to make an export control jurisdiction determination in the contracting documents. The Department does not accept this comment. The developmental paragraphs only control items during their developmental phase, based on the premise that the government does not know, and thus cannot positively describe, those items that will be developed in the future. The Department did not explicitly limit the control text with a phrase such as ''specially designed for a military end use'' because the determination of the military utility of a DoD-funded system at its developmental stage is a role for the government. An item being developed with whole or partial DoD funding will be outside the scope of this control if the funding document with DoD simply states that it is being developed for both civil and military applications. The contract need not, and

should not, make a jurisdictional determination. For items with civil or commercial applications that nonetheless warrant ITAR control because they provide a critical military or intelligence advantage, the Department will have the ability to explicitly add them to the USML, notwithstanding the statement in the funding document, whether in production or development. DoD has undertaken a substantial effort to educate contracting officers and others in the DoD research and supply chain communities regarding the scope and intent of these developmental paragraphs. Additionally, a request for a CJ determination is another means of determining if a specific DoD-funded developmental item warrants ITAR control. These developmental paragraphs have been included in other USML Categories as part of the ECR review and appear to be working smoothly.

One commenter expressed concern that the developmental control would prevent fundamental research funded by DoD. The Department does not accept this comment. The ITAR currently allows fundamental research into defense technologies at accredited U.S. colleges and universities. See § 120.11(a)(8). The inclusion of these developmental systems on the USML does not change the ability of researchers to conduct fundamental research and publish the results. Publication and dissemination restrictions in the funding documents will be the primary mechanism for determining if DoD funding of a project prohibits that project from being considered as fundamental research.

One commenter asked the Department to clarify how the CJ determination release in Note 1 will work for an item identified in another USML paragraph because Note 2 states that Note 1 does not apply to items enumerated elsewhere on the USML. The commenter specifically inquired as to how this will interact with the control in paragraph (b)(6) for LIDAR systems specially designed for a military end user. If the Department issues a CJ determination that an item is not subject to the ITAR, then that item is not specially designed under § 120.41. The item is no longer described in a paragraph that uses specially designed as a control parameter, whether that control is for items specially designed for a defense article or specially designed for a military end user. Therefore, the item for which the CJ applied would not be within another USML paragraph and Note 2 would not apply.

Paragraph (c)—Imaging Systems or End Items

Paragraph (c) is revised to add subparagraphs (1) through (10) to more clearly describe the articles controlled in (c). Controls on night vision and infrared cameras are moved from paragraph (c)(1) in the 2nd proposed rule to paragraph (e)(4) and comments on paragraph (c)(1) will be addressed below. Controls on weapons sights and weapon imaging systems are moved from paragraph (a) of the proposed rule to paragraph (c).

Paragraph (c)(1), formerly paragraph (c)(2) in the 2nd proposed rule, is added for certain binoculars, bioculars, monoculars, goggles, or head or helmet-mounted imaging systems. The Department revised the text from the 2nd proposed rule to clarify the scope of the control. Subparagraph (i) is revised to clarify that it controls articles that employ autogated third generation image intensifier tubes (IITs) or a higher generation IIT. The Department revised subparagraph (ii) to clarify that it controls articles that are sensor fused with an IIT and an infrared focal plane array (IRFPA) having a peak response wavelength greater than 1,000 nm. Such articles with an IRFPA or infrared imaging camera are controlled if specially designed for a military end user.

One commenter requested that the Department add ''head or helmet-mounted'' to the parenthetical in paragraph (c)(1). The Department does not accept this comment because the text would be redundant. The control is for systems where both the sensor and the display are on the head or helmet. However, there may be such systems where the sensor and a near-to-eye display are both attached to the head or the helmet, but not attached to each other.

One commenter stated that the control describes hardware used for medical applications and requested that the Department add ''specifically designed for military systems'' to the entire control. The Department does not accept this comment. As noted above, the control is for systems where both the sensor and the display are on the head or helmet. The Department is unaware of such systems that include the sensors described in the control being used in medical applications. The commenter did not provide any examples of such systems.

One commenter stated that a monocular could be within the scope of this control, even if it is not specially designed for a military end use and it includes an IIT that is not ITAR controlled, simply because the IIT is an autogated third generation IIT. The Department confirms this comment. Monoculars and other similar systems with an autogated third generation IIT have significant military capability and provide the United States with a critical military and intelligence advantage. Therefore, they warrant ITAR control.

The commenter further stated that it was incongruous to have the control on IITs, in paragraph (e), different from the control parameter for binoculars, bioculars, monoculars, goggles, or head or helmet-mounted imaging systems that incorporate an IIT. The comment claimed that a monocular could include a non-autogated third generation IIT that was specially designed for a defense article, and that in such a scenario the monocular would be subject to the EAR, even though it includes an IIT that is ITAR controlled. The Department does not accept this comment. If a non-autogated third generation IIT is controlled in paragraph (e)(7) (paragraph (e)(6) in the 2nd proposed rule) on the basis of being specially designed for a defense article, the use of that IIT in a monocular that is not otherwise within the scope of (c)(1) would result in the IIT being not specially designed on the basis of § 120.41(b)(3). Therefore, a monocular subject to the EAR cannot include an IIT that is subject to the ITAR, excluding a developmental monocular or a DOD funded developmental IIT.

Paragraph (c)(2) is added for weapons sights and aiming or imaging systems, specially designed to mount to a weapon or to withstand weapon shock or recoil, with certain IRFPAs, IITs, ballistic computers, or lasers. These items were described in paragraph (a)(2) of the 2nd proposed rule. The Department moved the control to paragraph (c) as these systems are controlled largely on the basis of the incorporation of an imaging device, such as an IRFPA or IIT and are similar to the items described in paragraph (c)(1).

One commenter requested that the Department define ''weapons sight.'' The Department does not accept this comment to the extent that it asks for ''weapons sight'' to be a defined term. However, the Department has revised the control text to describe those items that are within the scope of the control more directly. The Department added the parenthetical phrase ''(*i.e.,* with a reticle)'' following weapon sight to more specifically identify the items described by that term. The Department also added that the systems must be specially designed to mount to a weapon or specially designed to

withstand weapon shock or recoil. These features are critical capabilities for differentiating a weapons sight from other infrared and night vision devices.

One commenter stated that the inclusion of clip-on systems in the same sub-category as weapons sights creates confusion and recommended that clip-on systems be separated into another subcategory as they are multi-functional devices and are not directly related to designated weapon sights. The Department does not accept this comment. A clip-on is controlled if it is specially designed to mount to a weapon or specially designed to withstand weapon shock or recoil, and meets one of the technical parameters. The Department notes that the control is for clip-ons that are specially designed to attach to a weapon, not to a day-scope. This means that a clip-on that is truly multi-functional, and designed to attach to binoculars, monoculars, and other infrared and night vision devices via a universal attachment, would not be controlled in this paragraph, unless it was also specially designed to withstand weapons shock or recoil. Systems specially designed for weapons shock warrant USML control.

One commenter stated that the controls in the 2nd proposed rule would include weapons sights incorporating 2nd generation IITs, some of which have previously been subject to the EAR. The Department acknowledges the comment and adopts a technical parameter of 350 microamps per lumen for the control.

One commenter stated that the 2nd proposed rule would include any night vision weapon sight specially designed for any type of weapon listed in Category I of the USML. The Department confirms this understanding. While the Department has revised the control parameter from ''specially designed for a defense article'' to ''specially designed to mount to a weapon to withstand weapon shock or recoil,'' this change is a clarification only that does not reduce the scope of the control.

One commenter noted that the ''specially designed for a military end user'' control was not used for weapons sights, but was used for the binoculars, bioculars, monoculars, goggles, or head or helmet-mounted imaging systems in paragraph (c)(2) of the 2nd proposed rule. The Department acknowledges the comment. The Department was able to describe those weapons sights and imaging or aiming systems that warrant USML control positively using technical parameters. Unfortunately, that was not possible for certain binoculars, bioculars, monoculars, goggles, or head or helmet-mounted imaging systems, so they are controlled when specially designed for a military end user.

One commenter claimed that the 2nd proposed rule described weapons sights in a way that could make an infrared imaging camera a weapons sight. The Department does not accept this comment. Additionally, the Department has revised the control to more specifically describe those items.

One commenter requested that the Department limit the scope of the control based on the incorporation of an infrared focal plane array to systems with two-dimensional arrays. The Department does not accept this comment. If a system meets all of the other parameters of the control and the IRFPA is a one-dimensional array, that system still warrants control on the USML.

Paragraph (c)(3) is added for electro-optical reconnaissance, surveillance, target detection, or target acquisition systems, specially designed for defense articles. The Department consolidated the control in paragraph (c)(3) of the 2nd proposed rule for targeting systems with the control in paragraph (c)(5)(ix) for all infrared systems that are specially designed for a defense article. This also addresses the comment to paragraph (a)(7), described above. The Department also incorporated the missile technology control designation (MT) from paragraph (c)(5)(ix).

Paragraph (c)(4) is added for certain infrared search and track (IRST) systems. The Department revised this control to include the positive technical parameter based control that was published in the 2nd proposed rule, for systems that utilize a longwave IRFPA and maintain positional or angular state of a target through time, and added a separate control for all other IRST systems that are specially designed for a military end user. The Department revised this control from the 1st proposed rule in response to public comments regarding certain non-military systems.

Two commenters expressed concern that certain civil and commercial systems that utilize long wave infrared imaging, such as a civil automotive system for searching and tracking pedestrians and other vehicles and aerial commercial systems used for infrared detection and quantification of hydrocarbon gas leaks (*e.g.,* methane), may be controlled. One commenter requested that the Department add the control parameter ''for military applications'' and the other asked the Department to move the control into paragraph (c)(5). The Department does not accept these comments. The Department confirms that IRST is a military capability used in airborne and naval platforms and does not include normal commercial systems such as civilian automotive and hydrocarbon gas leak detection systems.

Paragraph (c)(5) is added for infrared distributed aperture systems that are specially designed for defense articles. This paragraph was not expressly in the 2nd proposed rule, but the items described in this entry were within the control in paragraph (c)(5)(ix) of the 2nd proposed rule. This logically includes all infrared systems that are specially designed for a defense article, and thus would include all such distributed aperture systems with infrared detectors, including those with additional visible light or other non-infrared detectors.

Paragraph (c)(6), formerly paragraph (c)(5) in the 2nd proposed rule, is added for certain infrared imaging systems, described in eight subparagraphs. These paragraphs describe systems with infrared detectors, including those with additional visible light or other non-infrared detectors. One commenter requested that the Department define imaging systems and suggested that such definition exclude those systems that include an infrared detector but which do not use the detector to capture video or pictures. The Department does not accept this comment. Paragraph (c)(6) controls systems that have an infrared imager and does not require that those system produce a human viewable image. The commenter also noted confusion with classifying their items within the USML, noting that systems described in USML Category XI(a)(4)(i) may include an imager. The Department notes that USML Category XI(a) explicitly states that it is for systems not described in USML Category XII. Therefore, if your system is described in USML Category XII, that is where it should be classified.

Subparagraph (i) is added for mobile systems that provide real-time target recognition at ranges greater than 3 km and includes a note to describe the size of the target that the system must be able to identify. One commenter suggested that the proposed control text was broad and would include non-military systems used for search and rescue, civil law enforcement, border protection, and commercial applications related to security surveillance systems for high value asset protection. The Department accepted this comment and revised the control to more specifically describe the critical military systems. The Department revised the control by switching the operative function from ''target location'' to ''target recognition'' and added a note to describe the size of

the target as a NATO standard tank. The Department moved the range from 5km to 3km because target locating is possible at twice the distance as target recognition. Therefore, the change is actually an increase in the capabilities of the systems that are subject to control.

Subparagraph (ii) is added for airborne stabilized systems specially designed for military reconnaissance. The Department received no comments on this proposed control.

Subparagraph (iii) is added for automated multispectral imaging systems that classify or identify military or intelligence targets or characteristics. Two commenters stated that the proposed control could describe civil and commercial multispectral systems because it is unknown whether the spectral signatures that they classify are considered military or intelligence characteristics by the Department. The Department accepts this comment and revised the control to only those systems that provide automated classification or identification of the military or intelligence targets or characteristics.

Subparagraph (iv) is added for automated missile detection or warning systems. The Department received no comments on this proposed control.

Subparagraph (v) is added for systems hardened to withstand electromagnetic pulse (EMP), directed energy, chemical, biological, or radiological threats. The Department revised subparagraph (v) to include infrared imaging systems hardened against directed energy weapons. Such systems are also described in USML Category XVIII, but the Department determined that the inclusion in this subparagraph would assist exporters in the identification of their systems, as this subparagraph controls similarly shielded systems. The Department received no comments on this proposed control.

Subparagraph (vi) is added for systems incorporating mechanisms to reduce the optical chain signature for optical augmentation. One commenter stated that the proposed control could describe non-military systems, as it did not describe the kind of signature or level of signature reduction that would trigger the control. The commenter noted that a commercial infrared imaging system incorporating insulation that provides audible noise reduction or flat black paint to reduce reflections could be described, as noise reduction and reflection reduction could be considered signature reduction. The Department accepts this comment and revised the control to identify the optical chain signature for optical augmentation specifically.

Subparagraph (vii) is added for certain aerial persistent surveillance systems. The Department clarified the proposed control by noting that the technical parameters for systems that can detect a certain ground sample distance at 10,000 feet above ground level also described systems that can obtain the same or greater performance at greater altitude. The Department received no comments on this proposed control.

Subparagraph (viii) is added for certain gimbaled infrared systems. Two commenters stated that the control for a turret with a ball of 15 inches or greater includes civil and commercial systems. The commenters asserted that large sized turret balls are not a uniquely military capability and that the commercial and civil users require large turret balls as well. The Department does not accept these comments. Stable turrets with balls greater than 15 inches provide significant military capability and warrant ITAR control.

Paragraph (c)(7), formerly paragraph (c)(6) in the 2nd proposed rule, is added for certain terahertz imaging systems. One commenter requested that the Department limit the terahertz imaging systems within the control to concealed object detection systems to mirror the dual use control in ECCN 2A984. The Department partially accepts this comment. The Department revised the control to limit those systems meeting or exceeding the technical parameters described in the 2nd proposed rule to concealed object detection systems, and added an additional control for all terahertz imaging systems specially designed for a military end user. As a result of the revision to the control text, the Department of Commerce revised ECCN 2A984 by changing the lower end of the controls from 0.5 milliradians to 0.1 milliradians, and the Department is making conforming changes to USML Category XI, paragraphs (a)(3)(ii) and (a)(10), which exclude those items controlled in ECCN 2A984.

Paragraph (c)(8), formerly paragraph (c)(7) in the 2nd proposed rule, is added for systems or equipment incorporating an ultraviolet or infrared beacon or emitter specially designed for Combat Identification. The Department revised this entry to include ultraviolet Combat Identification systems. The Department received no comments on this proposed control.

Paragraph (c)(9), formerly paragraph (c)(8) in the 2nd proposed rule, is added for systems that project radiometrically calibrated scenes directly into the entrance aperture of an electro-optical or infrared (EO/IR) sensor controlled in this subchapter within either the spectral band exceeding 10 nm but not exceeding 400 nm, or the spectral band exceeding 900 nm but not exceeding 30,000 nm. The Department received no comments on this proposed control.

Paragraph (c)(10), formerly paragraph (c)(9) in the 2nd proposed rule, is added for developmental imaging systems funded by the DoD.

One commenter stated that the developmental paragraph should be deleted because DoD funds basic research. The Department does not accept this comment.

One commenter stated that it supported the developmental paragraph due to the inclusion of Note 1. The commenter stated that throughout the microelectronics industry, there are many ''electro-optical'' companies that have received rather modest, yet ultimately critical research and development funding from DoD to migrate their core commercial off-the-shelf (COTS) technology into specialized and vitally important applications in support of the Armed Forces. According to the commenter, in many cases, that research and development funding was sufficiently necessary that, but for such funding, the Armed Forces would not have gained the support of a given manufacturer. The costs of migrating a COTS product to a specialized military item, even if relatively modest technically, might have been too expensive for a small company to undertake, given the relatively fewer units that would eventually be sold for military uses. The commenter noted that Note 1 allows DoD to specify upfront and without ambiguity what will be the desired status of DoD-funded research and development efforts in private industry. If the contract explicitly specifies that the intended results of such a research and development program are to enable ''both civil and military applications,'' that specificity will, by itself, be sufficient to settle whether the ''military'' version is to be treated as an ITAR-controlled item. The commenter continued that the principle set out in Note 1 is that, once DoD has so stated, then the resulting ''military'' part is to be considered outside the purview of USML Category XII and to be controlled only under the EAR. That removes both ambiguity and cost to private industry, directly in understanding what will happen to the item even before it is developed and then, afterwards, when that item has been developed and goes to actual commercial production and distribution, including elimination of an

unnecessary CJ request. The Department accepts this comment.

Paragraph (d)—Guidance and Navigation Systems

Paragraph (d) is revised to add subparagraphs (1) through (6) to more clearly describe the articles controlled. One commenter requested that the Department revise the introductory text in proposed paragraph (d) by adding ''specially designed for military systems'' to clarify that industrial control systems are not within the scope of this paragraph, citing, for example, an industrial control system that performs a function which involves linear acceleration levels exceeding 25g. The Department partially accepts this comment. The Department revised the introductory text to guidance and navigation systems and end items, and also removed ''control'' from paragraph (d)(1). This paragraph is for guidance and navigation systems that control the movement of other systems, not for industrial control systems.

Paragraph (d)(1) is added for certain guidance or navigation systems. The Department revised the text of paragraph (d)(1)(i) from the proposed by correcting ''circle of equal probability'' to ''circular error probability''.

One commenter stated that the use of technical parameters, in paragraph (d)(1) and the controls for accelerometers and gyroscopes in paragraph (e), without limiting the control to those systems ''specially designed'' for the military, could result in commercial products being controlled on the USML, particularly if the items are validated on an individual item-by-item basis, rather than as a product line, due to run-to-run variation in performance. The Department does not accept this comment to the extent it is a request to include ''specially designed for the military'' as a control parameter. The Department notes that the question of whether a system is validated to USML technical control parameter thresholds on an individual item-by-item basis or on a product line basis is a question that involves all of the USML. The Department will address this issue in a separate rulemaking.

One commenter requested that the Department add the word ''or'' between each subparagraph, rather than just the final two subparagraphs, to clarify that the systems need only meet one of the technical parameters. In response to this comment, the Department revised the introductory text to paragraph (d)(1) to state ''having any of the following'' to clarify that an item will be within the scope of this control if it meets any of the technical parameters identified.

One commenter suggested that the Department delete paragraph (d)(1) in its entirety. The commenter reasoned that the MT control text in the parenthetical describes those systems that warrant control. The Department does not accept this comment. An MT parenthetical is not control text. It is an identification of those portions of the control text that are controlled for missile technology reasons and are reviewed under the missile technology review policies. If the system is not described in the control text, it is not subject to the USML.

One commenter requested that the Department add ''for airborne applications'' in paragraph (d)(1)(i), ''for land applications'' in paragraph (d)(1)(ii), and ''for maritime applications'' in paragraph (d)(1)(iii). The Department does not accept this comment. While paragraph (d)(1)(i) will primarily describe systems that are used in airborne applications, paragraph (d)(1)(ii) will primarily describe systems that are used in land applications, and paragraph (d)(1)(iii) will primarily describe systems that are used in maritime applications, the controls are based on the technical parameters.

One commenter requested that the Department add ''without the use of positional aiding references'' to proposed paragraph (d)(1)(ii). The Department accepts this comment.

One commenter requested that the Department adding the qualifier ''50%'' to the term ''CEP'' used in proposed paragraphs (d)(1)(i) and (d)(1)(iii) to clarify that 50% is the appropriate threshold, not 95%. The Department accepts this comment.

Several commenters requested that the Department revise proposed paragraph (d)(1)(iv) to control only those systems that meet or exceed its normal performance parameters at linear acceleration levels exceeding 25g, as opposed to those systems that merely continue to function with degraded performance. The Department accepts this comment.

One commenter requested that the Department increase the performance parameter in proposed paragraph (d)(1)(iv) from 25g to 35g. The Department does not accept this comment. Providing a high level of performance at linear acceleration levels exceeding 25g provides a critical military or intelligence advantage and warrants ITAR control.

One commenter requested that the Department revise the control parameter to ''continuous linear accelerations levels'' to avoid controlling those items that can continue to function after a shock or period that includes a 25g environment. The Department does not accept this comment. The control is for systems that provide continued performance during a 25g or greater environment, not those systems that can operate after such shock or environment (such as space launch) has ceased.

One commenter requested that the Department add a note, mirroring a note in the EAR, stating, ''[Such equipment and systems] incorporate accelerometers or gyroscopes to measure velocity and orientation in order to determine or maintain heading or position without requiring an external reference once aligned.'' The Department does not accept this comment. The proposed note is a generally accurate description of modern guidance and navigation systems. However, the control in this paragraph is intended to describe all guidance and navigation systems that meet the technical parameters, so such a note that is limited to today's technology would not be appropriate.

Paragraph (d)(2) is added for GNSS receiving equipment. This control is moved from Category XV(c). The Department revised paragraphs (d)(2)(iii) and (d)(2)(iv) to clarify that the controls apply to all GNSS systems, not just U.S. Global Positioning System (GPS) systems.

One commenter stated that the control in paragraph (d)(2)(i) includes all GNSS systems that are specially designed for the military, even if those systems do not have specific military GNSS capabilities, such as military-grade encryption or access to the U.S. military-only precise positioning service (PPS) signals. The Department confirms this comment. All GNSS receiving equipment that is specially designed for the military warrants ITAR control. Since GPS was first identified on the USML in 1992, the USML has included all receiving equipment specifically designed, modified, or configured for military use in Category XV(c). When the Department revised Category XV in 2014 as part of ECR, the phrase ''specifically designed, modified, or configured for military use'' was replaced with the new control text ''specially designed for military application'' to reflect the updated ECR terminology. The scope of the control was not changed, and any item that would be within the scope of the proposed control is, and has been, ITAR controlled. For questions about the jurisdiction of a particular piece of GNSS receiving equipment, please review the definition of specially designed in § 120.41, and if you have any further doubt, please submit an application for a CJ determination.

One commenter noted there are discrepancies between the parenthetical MT reference for paragraph (d)(2)(i) and the Missile Technology Control Regime (MTCR) Annex in § 121.16. The Department acknowledges that § 121.16 is out of date, it was last updated in 2006, and it will be removed through a separate rulemaking. The parenthetical MT references in each paragraph are current and more accurately reflect U.S. international commitments.

One commenter stated that the GNSS receiving equipment in paragraph (d)(2)(iii), specially designed for use with an antenna described in Category XI(c)(10), may soon include commercial and civil system, due to advancements in the field. The Department does not accept this comment. This control is for GNSS receiving equipment that uses the military antennae identified in Category XI(c)(10). If the antennae currently described in Category XI(c)(10) are in such wide commercial use that USML control is no longer appropriate, then the solution is to revise Category XI(c)(10). The Department is committed to continuously reviewing the USML and is currently finalizing the first final rule to re-review the first USML categories that were revised as part of ECR. The Department will continue to re-review the categories published under ECR.

Paragraph (d)(3) is added for GNSS anti-jam systems specially designed for use with the anti-jam antennae described in Category XI(c)(10). One commenter stated that the GNSS anti-jam systems in paragraph (d)(3), specially designed for use with an antenna described in Category XI(c)(10), may soon include commercial and civil systems, due to advancements in the field. The Department does not accept this comment. As discussed above, the issue of commercial use of antennae described in Category XI(c)(10) should be address through Category XI.

Paragraph (d)(4) is added for certain mobile relative gravimeters. The Department received no comments on this paragraph.

Paragraph (d)(5) is added for certain mobile gravity gradiometers. The Department received no comments on this paragraph.

Paragraph (d)(6) is added for developmental guidance, navigation, or control systems funded by the DoD. Several commenters stated that developmental funding from DoD is not a proper control parameter. The Department does not agree, as discussed above in paragraphs (b)(6) and (c)(10).

Paragraph (e)—Parts, Components, Accessories, and Attachments

Paragraph (e) is revised to add subparagraphs (1) through (24) to more clearly describe the parts and components for the systems in (a)–(d) that are controlled in (e).

One commenter requested that the Department add ''specially designed for a military end use'' to the introductory text. The Department does not accept this comment. Each subparagraph within paragraph (e) stands on its own terms. Additionally, the Department does not agree that the term ''military use'' is a clear control parameter when applied to all of the items within paragraph (e).

One commenter requested that the Department identify military-grade items by technical parameter, rather than control those specially designed for another defense article, specifically discussing IITs, IRFPAs, and thermal imaging cores. The Department does not accept this comment. The Department published the 1st proposed rule, which identified most items in this Category, and specifically IITs, IRFPAs, and thermal imaging cores, by technical parameters. The public comments in response to the 1st proposed rule showed that the technical parameters identified by the Department did not adequately distinguish civil and military systems but did not provide alternative technical parameters that would adequately distinguish the critical military systems. The Department is open to replacing the existing controls with objective technical parameters and will invite public comments on how to accomplish this in a future rulemaking.

Paragraph (e)(1) is added for parts and components specially designed for articles described in paragraph (a)(1) or (a)(5). The 2nd proposed rule identified parts and components specially designed for articles described in paragraph (a)(1) or (a)(8), and paragraph (a)(8) from the 2nd proposed rule is paragraph (a)(5) in this final rule.

One commenter requested that the Department clarify how paragraph (b)(3) of specially designed in § 120.41 applies to the parts and components of the now paragraph (a)(5) systems. The Department notes that, in determining if a part or component of an (a)(5) system is specially designed for that system, it is easier to move to paragraphs (a)(2) of § 120.41. While the part or component may also meet the criteria in paragraphs (a)(1) of § 120.41, such analysis is not necessary if it also meets (a)(2). If the item is a part or component, a necessary condition for control under paragraph (e)(1), paragraph (b) of § 120.41 applies, including (b)(3). Assuming that the item has not been subject to a CJ determination under (b)(1), is not one of the minor types of items identified in (b)(2), and that contemporaneous development documentation does not exist for (b)(4) or (b)(5), the item can be released under (b)(3), if it meets the criteria.

Paragraph (e)(2) is added for lasers specially designed for defense articles. The Department received no comments on this proposed control.

Paragraph (e)(3) is added for laser stacked arrays specially designed for defense articles. The Department received no comments on this proposed control.

Paragraph (e)(4), formerly paragraph (c)(1) in the 2nd proposed rule, is added for night vision or infrared cameras specially designed for defense articles. The Department moved this entry from paragraph (c)(1) of the 2nd proposed rule to list all components controlled in paragraph (e) and to respond to several public comments asking about the applicability of paragraph (b) of § 120.41 due to the control's inclusion within paragraph (c). The Department confirms that the releases in paragraph (b) of specially designed in § 120.41 may be applied when determining if a night vision or infrared camera is with the scope of paragraph (e)(4). One commenter also stated that the detector and camera used in commercial LADAR systems would be included within the control. The Department does not accept this comment. If a LADAR system is itself a defense article under paragraph (b)(6), or another entry on the USML, then a detector or camera that is specially designed for that LADAR would itself be USML controlled. However, if the LADAR is not itself a defense article, or the detector or camera is not specially designed for a defense article LADAR, then the detector or camera would not be USML controlled.

Paragraph (e)(5), formerly paragraph (e)(4) in the 2nd proposed rule, is added for IRFPAs specially designed for defense articles. The Department received only comments in support of this proposed control.

Paragraph (e)(6), formerly paragraph (e)(5) in the 2nd proposed rule, is added for certain charge multiplication focal plane arrays specially designed for defense articles. The Department received no comments on this proposed control.

Paragraph (e)(7), formerly paragraph (e)(6) in the 2nd proposed rule, is added for second generation and greater IITs specially designed for defense articles, and specially designed parts and

components therefor. This control includes third generation IITs, Electron Bombarded Active Pixel Sensor (EBAPS), night vision and thermal fused IITs, and all subsequent IIT designs that are specially designed for a defense article.

One commenter stated that, as the integrator of IITs into higher-level assemblies, they would not necessarily be capable of classifying the IITs that they obtain from manufacturers, particularly foreign manufacturers. The Department does not accept this comment. An exporter must classify the item based on the information available. If the exporter is using the IIT in a defense article, it therefore meets the catch in paragraph (a)(2) of specially designed in § 120.41; then it is specially designed, unless the exporters know that one of the releases in paragraph (b) applies. If the exporter is using the IIT in an item subject to the EAR, as long as that item is in production the exporter knows that paragraph (b)(3) of § 120.41 is met, regardless of any other information about the IIT.

The commenter further stated that the proposed control text creates a potential for all 2nd generation and above IITs to be subject to the ITAR, unless the foreign manufacturers can provide contemporaneous data to prove their design intent. The Department does not accept this comment. If an IIT is only used in defense articles, then it is true that it is within the scope of paragraph (e)(7), unless there is a CJ determination or the manufacturer has contemporaneous developmental documentation showing dual use intent. However, if the IIT is used in items that are subject to the EAR, paragraph (b)(3) of § 120.41 is met and the IIT would not be specially designed.

Paragraph (e)(8), formerly paragraph (e)(7) in the 2nd proposed rule, is added for parts and components specially designed for articles described in paragraph (c)(3), (c)(4), (c)(5), or (c)(6)(vi)–(vii). The Department revised paragraph (e)(8) of the proposed rule by adding paragraph (c)(5) and updating the numbering to reflect the revised numbering in this final rule. The Department received no comments on this proposed control.

Paragraph (e)(9), formerly paragraph (e)(8) in the 2nd proposed rule, is added for inertial measurement units specially designed for defense articles. The Department received no comments on this proposed control.

Paragraph (e)(10), formerly paragraph (e)(9) in the 2nd proposed rule, is added for GNSS security devices, Selective Availability Anti-Spoofing Module (SAASM), Security Module (SM), and Auxiliary Output Chip (AOC) chips. The Department received no comments on this proposed control.

Paragraph (e)(11), formerly paragraph (e)(10) in the 2nd proposed rule, is added for accelerometers that meet certain technical parameters. One commenter requested that licensing jurisdiction of these items be determined based on the ensemble performance of a particular device model (a product line), and not based on the performance of an individual sensor. As noted above in a response to a similar comment to paragraph (d)(1), this is a question that involves all of the USML and the Department will address it in a separate rulemaking.

Paragraph (e)(12), formerly paragraph (e)(11) in the 2nd proposed rule, is added for certain gyroscopes and angular rate sensors that meet the technical parameters.

One comment noted the term in the control text, namely ''bias,'' is different from the term in the MT parenthetical, namely ''drift,'' and suggested that the Department revise the MT parenthetical to use ''bias.'' The Department does not accept this comment. The control text defines the scope of the items on the USML. An MT parenthetical only identifies that portion of the items covered by the control text for which licenses for export will be reviewed under missile technology review policies. The MT text is drawn from the Missile Technology Control Regime Annex, a multilaterally agreed control list.

One commenter stated that the MT parenthetical should be revised to apply to items that are specified to function at constant acceleration levels greater than 100g, to clarify that the control does not apply to systems that can survive such a shock, but do not perform to specifications through shock levels above 100g. The Department confirms that this portion of the MT parenthetical only applies to those systems that continue to function to specification during a 100g environment. The Department is not revising the text of the MT parenthetical. As noted above, the MT parenthetical does not determine jurisdiction, only the license review policies of those items described in the control text.

One commenter stated that the MT parenthetical describes gyroscopes used in commercial satellites and requested that the Department add ''specially designed for articles in this subchapter'' to the control text. The Department does not accept this comment. As described above, the MT parenthetical is not control text. Items that meet the MT parenthetical but are not within the scope of the control are subject to the EAR and are very likely to be identified in an ECCN with an MT reason for control.

One commenter requested that jurisdiction of these items be determined based on the ensemble performance of a particular device model (a product line), and not based on the performance of an individual sensor. As noted above in a response to a similar comment to paragraph (d)(1), this is a question that involves many other parts of the USML and the Department will address it in a separate rulemaking.

Paragraph (e)(13), formerly paragraph (e)(12) in the 2nd proposed rule, is added for optical sensors that have a spectral filter that is specially designed for items controlled in USML Category XI(a)(4) and optical sensor assemblies that provide threat warning or tracking for those items controlled in USML Category XI(a)(4). One commenter requested that the Department move this control to paragraph XI(c) or add a note to paragraph (XI)(c)(4). The Department does not accept this comment. Many systems described in Category XII, as well as in Category XI, are subsystems of platforms and other defense articles. In general, cross-references are not added to the USML. As optical sensors are controlled in Category XII, when determining the jurisdiction of an optical sensor, an exporter must review Category XII, regardless of the kind of system that the optical sensor will be used in.

Paragraph (e)(14), formerly paragraph (e)(13) in the 2nd proposed rule, is added for IRFPA read-out integrated circuits (ROICs) specially designed for defense articles. Two commenters stated that the proposed control would include ROICs for systems other than IRFPAs. The Department accepts this comment and adds ''infrared focal plane array'' to clarify the scope of the control.

Paragraph (e)(15), formerly paragraph (e)(14) in the 2nd proposed rule, is added for integrated dewar cooler assemblies (IDCA) specially designed for defense articles, with or without an infrared focal plane array, and any specially designed parts and components therefor.

One commenter stated that the phrase ''other than Category XV'' is not clear. The Department accepts this comment and removes the phrase. If an IDCA is specially designed for a spacecraft described in Category XV, it warrants ITAR control, except that space-qualified mechanical cryocoolers and active cold fingers are controlled in Category XV(e)(4).

One commenter requested that the Department revise the control to cover IDCAs specially designed for a military end use, rather than specially designed for a defense article, because they may be used for scientific and research purposes, such as in astronomical telescopes. The Department does not accept this comment. In general, astronomical telescopes are not described on the USML and are not subject to the ITAR. Therefore, an IDCA that is for an astronomical telescope is not likely to be specially designed for a defense article. In the event that the use of the IDCA within an astronomical telescope is not sufficient to meet the release in paragraph (b)(3) of § 120.41 and the use in the astronomical telescope is the only non-military use of that IDCA, then it would be specially designed for a defense article under § 120.41.

Paragraph (e)(16), formerly paragraph (e)(15) in the 2nd proposed rule, is added for gimbals specially designed for defense articles in this category. The Department received no comments on this proposed control.

Paragraph (e)(17), formerly paragraph (e)(16) in the 2nd proposed rule, is added for IRFPA Joule-Thomson (JT) self-regulating cryostats specially designed for defense articles. The Department received no comments on this proposed control.

Paragraph (e)(18), formerly paragraph (e)(17) in the 2nd proposed rule, is added for infrared lenses, mirrors, beam splitters or combiners, filters, and treatments and coatings, specially designed for defense articles.

One commenter requested that the Department revise the control to be only for those items specially designed for a military end use, rather than specially designed for a defense article, because they may be used for scientific and research purposes, such as in infrared telescopes. The Department does not accept this comment. In general, scientific or research telescopes are not described on the USML and are not subject to the ITAR. Therefore, an infrared lens or mirror that is for a scientific or research telescope is not likely to be specially designed for a defense article, particularly as the commenter states that the items are generally customized for the telescope.

One commenter requested that the Department add a note clarifying that the application of a coating, once applied and dried to an item, does not by itself change the jurisdiction of the item to which it was applied. The Department does not accept this comment. The Department adds a note to clarify that the treatments and coatings controlled in this paragraph are eligible to be analyzed under paragraph (b) of § 120.41.

One commenter objected to infrared lenses being ITAR control based on being specially designed for a defense article, rather than by technical parameter. The Department does not accept this comment. Infrared lenses that are unique to a defense article warrant ITAR control.

Paragraph (e)(19), formerly paragraph (e)(18) in the 2nd proposed rule, is added for drive, control, signal, or image processing electronics specially designed for defense articles in this category.

One commenter requested that the Department revise the control to be only those items specially designed for a military end use, rather than specially designed for a defense article, because they may be used with an ITAR controlled IRFPA for research. The Department does not accept this comment. In general, if an ITAR controlled IRFPA is being used, then the research involves a defense article. This is because the IRFPA is ITAR controlled if it is specially designed for a defense article. If the IRFPA is ITAR controlled, then any specially designed drive, control, signal, or image processing electronics for that IRFPA warrant ITAR control.

One commenter requested that the Department limit this control to drive, control, signal, or image processing electronics specially designed for optical sensors and not for the ITAR controlled accelerometers and gyroscopes. The Department does not accept this comment. ITAR control for such electronics is warranted when specially designed for one of the defense articles described in this category.

One commenter requested that the Department clarify whether populated circuit card assemblies (PCCAs) related to drive, control, signal, or image processing and specially designed for defense articles in Category XII should be controlled in this paragraph; or in Category XI(c)(2), in the paragraph for PCCAs with a layout specially designed for a defense article. The Department acknowledges that defense articles may be described in more than one paragraph on the USML. When determining the proper classification within the USML, specifically described controls take precedence over general, catch-all controls. This control, for specially designed drive, control, signal, or image processing electronics, is more specific that the control in Category XI(c)(2), so these items would be controlled in Category XII.

Paragraph (e)(20), formerly paragraph (e)(19) in the 2nd proposed rule, is added for near-to-eye displays specially designed for defense articles in this category. The Department added a parenthetical ''(*e.g.,* micro-displays)'' to clarify the scope of the control. The Department received no comments on this proposed control.

Paragraph (e)(21), formerly paragraph (e)(20) in the 2nd proposed rule, is added for resonators, receivers, transmitters, modulators, gain media, drive electronics, and frequency converters specially designed for defense articles in this category. The Department received no comments on this proposed control.

Paragraph (e)(22), formerly paragraph (e)(21) in the 2nd proposed rule, is added for two-dimensional infrared scene projector emitter arrays (*i.e.,* resistive arrays) specially designed for infrared scene generators controlled in USML Category IX(a)(10). The Department received no comments on this proposed control.

Paragraph (e)(23), formerly paragraph (e)(22) in the 2nd proposed rule, is added for classified parts, components, accessories, attachments, and associated equipment. The Department received no comments on this proposed control.

Paragraph (e)(24), formerly paragraph (e)(23) in the 2nd proposed rule, is added for developmental IITs, FPAs, ROICs, accelerometers, gyroscopes, angular rate sensors, and inertial measurement units funded by the DoD. One commenter stated that the control needed further explanation to address projects partially funded by DoD. The Department does not accept this comment. Any amount of DoD funding for a developmental IIT, FPA, ROIC, accelerometer, gyroscope, angular rate sensor, and inertial measurement unit described in the control meets the DoD-funding threshold.

Paragraph (f) is revised to more clearly describe the technical data and defense services controlled in paragraph (f). No changes are made from the 2nd proposed rule. One commenter requested that the Department define the term ''directly related.'' The term directly related is used in every USML category, and therefore the comment is beyond the scope of this final rule. The Department will, however, address the issue in a separate rulemaking.

A new paragraph (x) has been added to USML Category XII, allowing ITAR licensing for commodities, software, and technology subject to the EAR provided those commodities, software, and technology are to be used in or with defense articles controlled in USML Category XII *and* are described in the

purchase documentation submitted with the application.

The proposed rules included certain definitions to assist commenters in responding to the proposed controls. They included ''charge multiplication,'' ''focal plane array,'' ''image intensifier tube,'' and ''multispectral.'' One commenter requested that the Department include these definitions within the regulatory text of the ITAR. The Department does not accept this comment. These definitions reflect the standard, generally applicable definitions of these terms, as used in both the Wassenaar Arrangement and the Export Administration Regulations. The Department provided these definitions in the proposed rules to assist commenters who may not have sufficient technical knowledge. The Department does not generally provide definitions within the ITAR, unless the definition intended by the Department is different from a dictionary or industry standard definition. As these definitions are the standard definitions of these terms, the Department is not including them within the text of the regulations.

Finally, articles common to the Missile Technology Control Regime (MTCR) Annex and the USML are to be identified on the USML with the parenthetical ''(MT)'' at the end of each section containing such articles. A separate proposed rule will address the sections in the ITAR that include MTCR definitions.

Regulatory Analysis and Notices

Administrative Procedure Act

The Department of State is of the opinion that controlling the import and export of defense articles and services is a foreign affairs function of the United States Government and that rules implementing this function are exempt from sections 553 (rulemaking) and 554 (adjudications) of the Administrative Procedure Act (APA). Although the Department is of the opinion that this rule is exempt from the rulemaking provisions of the APA, the Department has published two NPRMs as part of this rulemaking and has addressed the relevant public comments; this was done without prejudice to its determination that controlling the import and export of defense services is a foreign affairs function.

Regulatory Flexibility Act

Since this rule is exempt from the rulemaking provisions of 5 U.S.C. 553, it does not require analysis under the Regulatory Flexibility Act.

Unfunded Mandates Reform Act of 1995

This amendment does not involve a mandate that will result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any year and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This amendment has been found not to be a major rule within the meaning of the Small Business Regulatory Enforcement Fairness Act of 1996.

Executive Orders 12372 and 13132

This amendment 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. Therefore, in accordance with Executive Order 13132, it is determined that this amendment does not have sufficient federalism implications to require consultations or warrant the preparation of a federalism summary impact statement. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to this amendment.

Executive Orders 12866 and 13563

Executive Orders 13563 and 12866 direct agencies to assess costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributed impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has been designated a ''significant regulatory action,'' although not economically significant, under section 3(f) of Executive Order 12866. Accordingly, the rule has been reviewed by the Office of Management and Budget (OMB).

Executive Order 12988

The Department of State has reviewed the amendment in light of Executive Order 12988 to eliminate ambiguity, minimize litigation, establish clear legal standards, and reduce burden.

Executive Order 13175

The Department of State has determined that this rulemaking will not have tribal implications, will not impose substantial direct compliance costs on Indian tribal governments, and will not preempt tribal law. Accordingly, Executive Order 13175 does not apply to this rulemaking.

Paperwork Reduction Act

Following is a listing of approved Department of State information collections that will be affected by revision of the U.S. Munitions List (USML) and the Commerce Control List pursuant to the President's Export Control Reform (ECR) initiative. This final rule continues the implementation of ECR. The list of collections and the description of the manner in which they will be affected pertains to revision of the USML in its entirety, not only to the categories published in this rule.

The Department is not proposing or making changes to these collections in this rule. The information collections impacted by the ECR initiative are as follows:

(1) Statement of Registration, DS–2032, OMB No. 1405–0002.

(2) Application/License for Permanent Export of Unclassified Defense Articles and Related Unclassified Technical Data, DSP–5, OMB No. 1405–0003.

(3) Application/License for Temporary Import of Unclassified Defense Articles, DSP–61, OMB No. 1405–0013.

(4) Application/License for Temporary Export of Unclassified Defense Articles, DSP–73, OMB No. 1405–0023.

(5) Application for Amendment to License for Export or Import of Classified or Unclassified Defense Articles and Related Technical Data, DSP–6, –62, –74, –119, OMB No. 1405–0092.

(6) Request for Approval of Manufacturing License Agreements, Technical Assistance Agreements, and Other Agreements, DSP–5, OMB No. 1405–0093.

(7) Maintenance of Records by Registrants, OMB No. 1405–0111.

List of Subjects in 22 CFR Part 121

Arms and munitions, Exports.

Accordingly, for the reasons set forth above, title 22, chapter I, subchapter M, part 121 is amended as follows:

PART 121—THE UNITED STATES MUNITIONS LIST

■ 1. The authority citation for part 121 continues to read as follows:

Authority: Secs. 2, 38, and 71, Pub. L. 90–629, 90 Stat. 744 (22 U.S.C. 2752, 2778, 2797); 22 U.S.C. 2651a; Pub. L. 105–261, 112 Stat. 1920; Section 1261, Pub. L. 112–239; E.O. 13637, 78 FR 16129.

■ 2. Section 121.1 is amended by:
■ a. Removing and reserving paragraph (e) in U.S. Munitions List Category VIII;
■ b. Revising paragraphs (a)(3)(ii) and (a)(10) of U.S. Munitions List Category XI;
■ c. Revising U.S. Munitions List Category XII;
■ d. Removing and reserving paragraph (a) in U.S. Munitions List Category XIII; and
■ e. Removing and reserving paragraph (c) in U.S. Munitions List Category XV.

The revisions read as follows:

§ 121.1 The United States Munitions List.

* * * * *

Category XI —Military Electronics

(a) * * *

* (3) * * *

(ii) Synthetic Aperture Radar (SAR) incorporating image resolution less than (better than) 0.3 m, or incorporating Coherent Change Detection (CCD) with geo-registration accuracy less than (better than) 0.3 m, not including concealed object detection equipment operating in the frequency range from 30 GHz to 3,000 GHz and having a spatial resolution of 0.1 milliradians up to and including 1 milliradians at a standoff distance of 100 m;

* * * * *

(10) Electronic sensor systems or equipment for detection of concealed weapons, having a standoff detection range of greater than 45 m for personnel or detection of vehicle-carried weapons, not including concealed object detection equipment operating in the frequency range from 30 GHz to 3,000 GHz and having a spatial resolution of 0.1 milliradians up to and including 1 milliradians at a standoff distance of 100 m;

* * * * *

Category XII—Fire Control, Laser, Imaging, and Guidance Equipment

(a) Fire control, aiming, detection, guidance, and tracking systems, as follows:

* (1) Fire control systems;

* (2) Electronic or optical weapon positioning, laying, or spotting systems;

* (3) Laser spot trackers or laser spot detection, location, or imaging systems, with an operational wavelength shorter than 400 nm or longer than 710 nm and that are for laser target designators or coded target markers controlled in paragraph (b)(1);

Note to paragraph (a)(3): For controls on LIDAR, see paragraph (b)(6) of this category.

* (4) Bomb sights or bombing computers;

* (5) Electro-optical systems that automatically detect and locate ordnance launch, blast, or fire;

* (6) Electro-optical ordnance guidance systems;

* (7) Missile or ordnance electro-optical tracking systems;

* (8) Remote wind-sensing systems specially designed for ballistic-corrected aiming; or

(9) Helmet mounted display (HMD) systems or end items (*e.g.,* Combat Vehicle Crew HMD, Mounted Warrior HMD, Integrated Helmet Assembly Subsystem, Drivers Head Tracked Vision System), other than such items controlled in Category VIII, that:

(i) Incorporate or interface (either via wired or wireless connection) with optical sights or slewing devices that aim, launch, track, or manage munitions; or

(ii) Control infrared imaging systems or end items described in paragraphs (a) through (d) of this category.

* (b) Laser systems and end items, as follows:

(1) Laser target designators or coded target markers, that mediate the delivery of ordnance to a target;

(2) Target illumination systems having a variable beam divergence and a laser output wavelength exceeding 710 nm, to artificially light an area to search, locate, or track a target;

(3) Laser rangefinders having any of the following:

(i) Output wavelength of 1064 nm and any Q-switched pulse output; or

(ii) Output wavelength exceeding 1064 nm and any of the following:

(A) Single or multiple shot(s) within one second ranging capability of 3 km or greater against a standard 2.3 m x 2.3 m NATO target having 10% reflectivity and 23 km atmospheric visibility; or

(B) Multiple shot ranging capability at 3 Hz or greater of 1 km or greater against a standard 2.3 m x 2.3 m NATO target having 10% reflectivity and 23 km atmospheric visibility;

(4) Targeting systems and target location systems, incorporating or specially designed to incorporate both of the following:

(i) A laser rangefinder; and

(ii) A defense article controlled in paragraph (d) of this category (MT if designed or modified for rockets, missiles, space launch vehicles (SLVs), drones, or unmanned aerial vehicle systems capable of delivering at least a 500 kg payload to a range of at least 300 km);

(5) Systems specially designed to use laser energy with an output wavelength exceeding 710 nm for exploiting differential target-background retroreflectance in order to detect optical/electro-optical equipment (*e.g.,* optical augmentation systems);

(6) Light detection and ranging (LIDAR), laser detection and ranging (LADAR), or range-gated systems, specially designed for a military end user

(MT if designed or modified for rockets, missiles, SLVs, drones, or unmanned aerial vehicle systems capable of delivering at least a 500 kg payload to a range of at least 300 km); or

(7) Developmental lasers or laser systems funded by the Department of Defense via contract or other funding authorization.

Note 1 to paragraph (b)(7): This paragraph does not control lasers or laser systems: (a) In production, (b) determined to be subject to the EAR via a Commodity Jurisdiction determination (see § 120.4 of this subchapter), or (c) identified in the relevant Department of Defense contract or other funding authorization as being developed for both civil and military applications.

Note 2 to paragraph (b)(7): Note 1 does not apply to defense articles enumerated on the U.S. Munitions List, whether in production or development.

Note 3 to paragraph (b)(7): This provision is applicable to those contracts or other funding authorizations that are dated October 12, 2017 or later.

* (c) Imaging systems or end items, as follows:

(1) Binoculars, bioculars, monoculars, goggles, or head or helmet-mounted imaging systems (including video-based articles having a separate near-to-eye display), as follows:

(i) Employing an autogated third generation image intensifier tube or a higher generation image intensifier tube;

(ii) Fusing output of an image intensifier tube and an infrared focal plane array having a peak response wavelength greater than 1,000 nm; or

(iii) Having an infrared focal plane array or infrared imaging camera, and specially designed for a military end user;

(2) Weapon sights (*i.e.,* with a reticle) or aiming or imaging systems (*e.g.,* clip-on), specially designed to mount to a weapon or to withstand weapon shock or recoil, with or without an integrated viewer or display, and also incorporating or specially designed to incorporate any of the following:

(i) An infrared focal plane array having a peak response wavelength exceeding 1,000 nm;

(ii) Second generation with luminous sensitivity greater than 350 μA/lm, third generation, or higher generation, image intensifier tubes;

(iii) Ballistic computing electronics for adjusting the aim point display; or

(iv) Infrared laser having a wavelength exceeding 710 nm;

(3) Electro-optical reconnaissance, surveillance, target detection, or target acquisition systems, specially designed for articles in this subchapter or specially designed for a military end user (MT if for determining bearings to specific electromagnetic sources (direction finding equipment) or terrain characteristics and designed or modified for rockets, missiles, SLVs, drones, or unmanned aerial vehicle systems capable of delivering at least a 500 kg payload to a range of at least 300 km);

(4) Infrared search and track (IRST) systems having one of the following:

(i) Airborne or naval systems, that:

(A) Have range performance of 3 km or greater;

(B) Incorporate or are specially designed to incorporate an infrared focal plane array or imaging camera, having a peak response wavelength exceeding 3 microns or greater; and

(C) Maintain positional or angular state of a target through time; or

(ii) Specially designed for a military end user;

(5) Distributed aperture systems having a peak response wavelength exceeding 710 nm specially designed for articles in this subchapter or specially designed for a military end user;

(6) Infrared imaging systems, as follows:

(i) Mobile reconnaissance, scout, or surveillance systems providing real-time target recognition at ranges greater than 3 km (*e.g.,* LRAS, CIV, HTI, SeeSpot, MMS);

Note to paragraph (c)(6)(i): Target is defined as a NATO standard tank target having a frontal cross-section of 2.3 x 2.3 meters, and a side cross-section of 2.3 x 6.4 meters.

(ii) Airborne stabilized systems specially designed for military reconnaissance (*e.g.,* DB–110, C–B4);

(iii) Multispectral imaging systems that provide automated classification or identification of military or intelligence targets or characteristics;

(iv) Automated missile detection or warning systems;

(v) Systems hardened to withstand electromagnetic pulse (EMP), directed energy, chemical, biological, or radiological threats;

(vi) Systems incorporating mechanism(s) to reduce the optical chain signature for optical augmentation;

(vii) Persistent surveillance systems with a ground sample distance (GSD) of 0.5 m or better (smaller) at 10,000 ft or higher above ground level and a simultaneous coverage area of 3 km^2 or greater;

(viii) Gimbaled infrared systems, as follows:

(A) Having a stabilization better (less) than 30 microradians RMS and a turret with a ball diameter of 15 inches or greater; or

(B) Specially designed for articles in this subchapter or specially designed for a military end user;

(7) Terahertz imaging systems as follows:

(i) Concealed object detection systems operating in the frequency range from 30 GHz to 3000 GHz, and having a resolution less (better) than 0.1 milliradians at a standoff range of 100 m; or

(ii) Specially designed for a military end user;

(8) Systems or equipment, incorporating an ultraviolet or infrared (IR) beacon or emitter, specially designed for Combat Identification;

(9) Systems that project radiometrically calibrated scenes at a frame rate greater than 30 Hz directly into the entrance aperture of an electro-optical or infrared (EO/IR) sensor controlled in this subchapter within either the spectral band exceeding 10 nm but not exceeding 400 nm, or the spectral band exceeding 900 nm but not exceeding 30,000 nm;

(10) Developmental electro-optical, infrared, or terahertz systems funded by the Department of Defense.

Note 1 to paragraph (c)(10): This paragraph does not control electro-optical, infrared, or terahertz imaging systems: (a) In production, (b) determined to be subject to the EAR via a Commodity Jurisdiction determination (see § 120.4 of this subchapter), or (c) identified in the relevant Department of Defense contract or other funding authorization as being developed for both civil and military applications.

Note 2 to paragraph (c)(10): Note 1 does not apply to defense articles enumerated on the U.S. Munitions List, whether in production or development.

Note 3 to paragraph (c)(10): This provision is applicable to those contracts or other funding authorizations that are dated October 12, 2017 or later.

(d) Guidance and navigation systems or end items, as follows:

(1) Guidance or navigation systems (*e.g.,* inertial navigation systems, inertial reference units, attitude and heading reference systems) having any of the following:

(i) A circular error probability at fifty percent (CEP50) of position error rate less (better) than 0.28 nautical miles per hour, without the use of positional aiding references;

(ii) A heading error or true north determination of less (better) than 0.28 mrad secant (latitude) (0.016043 degrees secant (latitude)), without the use of positional aiding references;

(iii) A CEP50 of position error rate less than 0.2 nautical miles in an 8 hour period, without the use of positional aiding references; or

(iv) Meeting or exceeding specified performance at linear acceleration levels exceeding 25g (MT if designed or modified for rockets, missiles, SLVs, drones, or unmanned aerial vehicle systems capable of a range greater than or equal to 300 km or incorporating accelerometers specified in paragraph (e)(11) or gyroscopes or angular rate sensors specified in paragraph (e)(12) of this category that are designated MT);

Note 1 to paragraph (d)(1): For rocket, SLV, or missile flight control and guidance systems (including guidance sets), see Category IV(h).

Note 2 to paragraph (d)(1): Inertial measurement units are described in paragraph (e) of this category.

(2) Global Navigation Satellite System (GNSS) receiving equipment, as follows:

(i) GNSS receiving equipment specially designed for military applications (MT if designed or modified for airborne applications and capable of providing navigation information at speeds in excess of 600 m/s);

(ii) Global Positioning System (GPS) receiving equipment specially designed for encryption or decryption (*e.g.,* Y-Code, M-Code) of GPS precise positioning service (PPS) signals (MT if designed or modified for airborne applications);

(iii) GNSS receiving equipment specially designed for use with an antenna described in Category XI(c)(10) (MT if designed or modified for airborne applications); or

(iv) GNSS receiving equipment specially designed for use with rockets, missiles, SLVs, drones, or unmanned air vehicle systems capable of delivering at least a 500 kg payload to a range of at least 300 km (MT);

Note to paragraph (d)(2)(iv): ''Payload'' is the total mass that can be carried or delivered by the specified rocket, missile, SLV, drone, or unmanned aerial vehicle that is not used to maintain flight. For definition of ''range'' as it pertains to rocket systems, see Note 1 to paragraph (a) of USML Category IV. For definition of ''range'' as it pertains to aircraft systems, see Note 2 to paragraph (a) of USML Category VIII.

(3) GNSS anti-jam systems specially designed for use with an antenna described in Category XI(c)(10);

(4) Mobile relative gravimeters having automatic motion compensation with an in-service accuracy of less (better) than 0.4 mGal (MT if designed or modified for airborne or marine use and having a time to steady-state registration of two minutes or less);

(5) Mobile gravity gradiometers having an accuracy of less (better) than 10 Eotvos squared per radian per second for any component of the gravity gradient tensor, and having a spatial gravity wavelength resolution of 50 m or less (MT if designed or modified for airborne or marine use);

Note to paragraph (d)(5): ''Eotvos'' is a unit of acceleration divided by distance that was used in conjunction with the older centimeter-gram-second system of units. The Eotvos is defined as $1/1{,}000{,}000{,}000$ Galileo (Gal) per centimeter.

(6) Developmental guidance or navigation systems funded by the Department of Defense (MT if designed or modified for rockets, missiles, SLVs, drones, or unmanned aerial vehicle systems capable of a range equal to or greater than 300 km).

Note 1 to paragraph (d)(6): This paragraph does not control guidance or navigation systems: (a) in production, (b) determined to be subject to the EAR via a Commodity Jurisdiction determination (see § 120.4 of this subchapter), or (c) identified in the relevant Department of Defense contract or other funding authorization as being developed for both civil and military applications.

Note 2 to paragraph (d)(6): Note 1 does not apply to defense articles enumerated on the U.S. Munitions List, whether in production or development.

Note 3 to paragraph (d)(6): This provision is applicable to those contracts or other funding authorizations that are dated October 12, 2017 or later.

Note 4 to paragraph (d)(6): For definition of ''range'' as it pertains to rocket systems, see Note 1 to paragraph (a) of USML Category IV. For definition of ''range'' as it pertains to aircraft systems, see Note 2 to paragraph (a) of USML Category VIII.

(e) Parts, components, accessories, or attachments, as follows:

(1) Parts and components specially designed for articles described in paragraph (a)(1) or (a)(5) of this category;

(2) Lasers specially designed for articles in this subchapter;

(3) Laser stacked arrays specially designed for articles in this subchapter;

(4) Night vision or infrared cameras (*e.g.,* camera core) specially designed for articles in this subchapter;

Note to paragraph (e)(4): The articles controlled by this paragraph have sufficient electronics to enable at a minimum the output of an analog or digital signal once power is applied.

(5) Infrared focal plane arrays specially designed for articles in this subchapter;

(6) Charge multiplication focal plane arrays exceeding 50 mA/W for any wavelength exceeding 760 nm and specially designed for articles described in this subchapter;

(7) Second generation and greater image intensifier tubes specially designed for articles in this subchapter, and specially designed parts and components therefor;

Note to paragraph (e)(7): Second and third generation image intensifier tubes are defined as having a peak response within the 0.4 to 1.05 micron wavelength range and incorporating a microchannel plate for electron image amplification having a hole pitch (center-to-center spacing) of less than 25 microns and having either: (a) an S–20, S–25, or multialkali photo cathode; or (b) a GaAs, GaInAs, or other III–V compound semiconductor photocathode.

(8) Parts and components specially designed for articles described in paragraph (c)(3), (c)(4), (c)(5) or (c)(6)(vi)-(vii) of this category;

(9) Inertial measurement units specially designed for articles in this subchapter (MT for systems incorporating accelerometers specified in paragraph (e)(11) or gyroscopes or angular rate sensors specified in paragraph (e)(12) that are designated MT);

(10) GNSS security devices (*e.g.,* Selective Availability Anti-Spoofing Modules (SAASM), Security Modules (SM), and Auxiliary Output Chips (AOC));

(11) Accelerometers having a bias repeatability of less (better) than 10 μg and a scale factor repeatability of less (better) than 10 parts per million, or capable of measuring greater than 100,000 g (MT);

Note 1 to paragraph (e)(11): For weapon fuze accelerometers, see Category III(d) or IV(h).

Note 2 to paragraph (e)(11): MT designation does not include accelerometers that are designed to measure vibration or shock.

(12) Gyroscopes or angular rate sensors as follows:

(i) Having an angle random walk of less (better) than 0.001 degrees per square root hour; or

(ii) Mechanical gyroscopes or rate sensors having a bias repeatability less (better) than 0.0015 degrees per hour (MT if having a rated drift stability of less than 0.5 degrees (1 sigma or rms) per hour in a 1 g environment or specified to function at acceleration levels greater than 100 g);

Note to paragraphs (e)(11) and (e)(12): ''Repeatability'' is the closeness of agreement among repeated measurements of the same variable under the same operating conditions when changes in conditions or non-operating periods occur between measurements.

''Bias'' is the accelerometer output when no acceleration is applied.

''Scale factor'' is the ratio of change in output to a change in the input.

The measurements of ''bias'' and ''scale factor'' refer to one sigma standard deviation with respect to a fixed calibration over a period of one year.

''Drift Rate'' is the component of gyro output that is functionally independent of input rotation and is expressed as an angular rate.

''Stability'' is a measure of the ability of a specific mechanism or performance coefficient to remain invariant when continuously exposed to a fixed operating condition. (This definition does not refer to dynamic or servo stability.)

(13) Optical sensors having a spectral filter specially designed for systems or equipment controlled in USML Category XI(a)(4), or optical sensor assemblies that provide threat warning or tracking for systems or equipment controlled in Category XI(a)(4);

(14) Infrared focal plane array read-out integrated circuits (ROICs) specially designed for articles in this subchapter;

(15) Integrated dewar cooler assemblies specially designed for articles in this subchapter, with or without an infrared focal plane array, and specially designed parts and components therefor;;

(16) Gimbals specially designed for articles in this category;

(17) Infrared focal plane array Joule-Thomson (JT) self-regulating cryostats specially designed for articles controlled in this subchapter;

(18) Infrared lenses, mirrors, beam splitters or combiners, filters, and treatments and coatings, specially designed for articles controlled in this category;

Note to paragraph (e)(18): For the purposes of this paragraph, treatments and coatings may be analyzed as a part, component, accessory, or attachment under paragraph (b) of § 120.41 to determine if they are specially designed.

(19) Drive, control, signal, or image processing electronics, specially designed for articles controlled in this category;

(20) Near-to-eye displays (*e.g.,* micro-displays) specially designed for articles controlled in this category;

(21) Resonators, receivers, transmitters, modulators, gain media,

drive electronics, and frequency converters, specially designed for laser systems controlled in this category;

(22) Two-dimensional infrared scene projector emitter arrays (*i.e.,* resistive arrays) specially designed for infrared scene generators controlled in USML Category IX(a)(10);

* (23) Any part, component, accessory, attachment, or associated equipment, that:

(i) Is classified;

(ii) Contains classified software;

(iii) Is manufactured using classified production data; or

(iv) Is being developed using classified information.

Note to paragraph (e)(23): ''Classified'' means classified pursuant to Executive Order 13526, or predecessor order, and a security classification guide developed pursuant thereto or equivalent, or to the corresponding classification rules of another government.

(24) Developmental image intensifier tubes, focal plane arrays, read-out-integrated circuits, accelerometers, gyroscopes, angular rate sensors, and inertial measurement units funded by the Department of Defense (MT if designed or modified for rockets, missiles, SLVs, drones, or unmanned aerial vehicle systems capable of a range equal to or greater than 300 km).

Note 1 to paragraph (e)(24): This paragraph does not control items: (a) In production, (b) determined to be subject to the EAR via a Commodity Jurisdiction determination (see § 120.4 of this subchapter), or (c) identified in the relevant Department of Defense contract or other funding authorization as being developed for both civil and military applications.

Note 2 to paragraph (e)(24): Note 1 does not apply to defense articles enumerated on the U.S. Munitions List, whether in production or development.

Note 3 to paragraph (e)(24): This provision is applicable to those contracts or other funding authorizations that are dated October 12, 2017 or later.

(f) Technical data (see § 120.10) and defense services (see § 120.9) directly related to the defense articles described in paragraphs (a) through (e) of this category and classified technical data directly related to items controlled in ECCNs 7A611, 7B611, and 7D611. (See § 125.4 for exemptions.) (MT for technical data and defense services related to articles designated as such.)

(g)–(w) [Reserved]

(x) Commodities, software, and technology subject to the EAR (see § 120.42 of this subchapter) used in or with defense articles controlled in this category.

Note to paragraph (x): Use of this paragraph is limited to license applications for defense articles controlled in this category where the purchase documentation includes commodities, software, or technology subject to the EAR (see § 123.1(b) of this subchapter).

Note to Category XII: For purposes of paragraphs (b)(6), (c)(1)(iii), (c)(3), (c)(4)(ii), (c)(5), (c)(6)(viii)(b), and (c)(7)(ii) of this category, a ''military end user'' means the national armed services (army, navy, marine, air force, or coast guard), national guard, national police, government intelligence or reconnaissance organizations, or any person or entity whose actions or functions are intended to support military end uses. A system or end item is not specially designed for a military end user if the item was developed with knowledge that it is or would be for use by both military end users and non-military end users, or if the item was or is being developed with no knowledge of use by a particular end user. For the purpose of conducting a self-determination of jurisdiction, documents contemporaneous with the development must establish such knowledge. For the purpose of a Commodity Jurisdiction determination, the government may base a determination on post-development information that evidences such knowledge or is otherwise consistent with § 120.4 of this subchapter.

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Rose E. Gottemoeller,

Under Secretary, Arms Control and International Security, Department of State.

[FR Doc. 2016–24225 Filed 10–11–16; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

30 CFR Parts 550, 556, 559 and 560

RIN 1010–AD06

[Docket ID: BOEM–2016–0031]

Leasing of Sulfur or Oil and Gas in the Outer Continental Shelf MMAA104000

AGENCY: Bureau of Ocean Energy Management (BOEM), Interior.

ACTION: Final rule.

SUMMARY: This final rule clarifies the language in one section of a final rule that the Bureau of Ocean Energy Management (BOEM) published in the **Federal Register** on March 30, 2016, and that became effective on May 31, 2016.

DATES: Effective November 14, 2016.

FOR FURTHER INFORMATION CONTACT: Robert Sebastian, Office of Policy, Regulation and Analysis at (504) 736–2761 or email at *robert.sebastian@boem.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On March 30, 2016, BOEM published in the **Federal Register** (81 FR 18111), a final rule entitled Leasing of Sulfur or Oil and Gas in the Outer Continental Shelf, (leasing rule) which updated and streamlined the Outer Continental Shelf (OCS) oil and gas and sulfur leasing regulations, and became effective on May 31, 2016. On May 24, 2016, BOEM published a proposed rule to revise the leasing rule in order to clarify the language in one definition in Part 556 of that rule (81 FR 32694). In this final rule, BOEM amends 30 CFR 556.105 to revise that definition.

II. Analysis

Section 556.105 Acronyms and Definitions

The term ''You'' was defined in Section 556.105 of the leasing rule by providing a list of categories of persons to whom the term applies. The definition also included an introductory sentence to clarify that some persons not yet in a legal relationship with BOEM were affected by portions of Part 556. That definition read as follows: ''*You* means any party that has, or may have, legal obligations to the Federal government with respect to any operations on the OCS in which it is or may become involved. Depending on the context of the regulation, the term ''you'' may include a lessee (record title owner), an operating rights owner, a designated operator or agent of the lessee, a predecessor lessee, a holder of a State or Federal RUE, or a pipeline ROW holder.''

The first sentence of that definition, by its reference to operations, might have caused confusion as to who is considered to be subject to the regulations in Part 556. Therefore, BOEM published a proposed rule and solicited public comments on its proposal to change the wording of the definition. In order to clarify the meaning of the definition, BOEM proposed to remove the introductory sentence of the definition and add specific references to: a bidder; a prospective bidder; and an applicant seeking to become an assignee of record title or operating rights. Those changes clarified the categories of persons who (depending on the context of the regulations) must comply with certain sections of Part 556, without the ambiguity of the definition as it was stated in the leasing rule.

BOEM also proposed to clarify the term ''a holder of a State or Federal RUE'' contained in the definition. A RUE is not correctly described as being ''State'' or ''Federal.'' Rather, a RUE

should be described on the basis of whether it is granted in order to service or support either a State or a Federal lease. Therefore, a holder of a RUE (the person to whom the RUE is granted) is correctly referred to as a ''RUE holder for a State or Federal lease.''

III. Final Rule and Response to Comments

BOEM received two comments on the proposed rule. One of those comments was non-substantive, while the other commended BOEM for its efforts to update and streamline the OCS oil and gas and sulfur leasing regulations, including the clarification at issue in this rulemaking. Neither comment recommended any changes to the proposed rule's definition of ''you.'' As a result, neither comment resulted in any changes to the proposed rule. Therefore, the final rule incorporates the exact wording of the proposed rule's definition of ''you'' into Section 556.105.

As amended, the definition of ''you'' in Section 556.105 will read: ''*You,* depending on the context of the regulations, means a bidder, a prospective bidder, a lessee (record title owner), an operating rights owner, an applicant seeking to become an assignee of record title or operating rights, a designated operator or agent of the lessee, a predecessor lessee, a RUE holder for a State or Federal lease, or a pipeline ROW holder.''

IV. Procedural Requirements

Section V, Legal and Regulatory Analyses, of the leasing rule issued on March 30, 2016 (81 FR 18145), summarizes BOEM's analyses of the rule pursuant to applicable statutes and executive orders. This amendment to that rule would not change any conclusion described in that section, because the amendment is only intended to clarify the meaning of one definition in one provision of the regulatory text in the leasing rule and would not require any additional actions by either BOEM or the regulated community. Therefore, no additional analysis is necessary.

List of Subjects in 30 CFR Part 556

Administrative practice and procedure, Continental shelf, Environmental protection, Federal lands, Government contracts, Intergovernmental relations, Oil and gas exploration, Outer continental shelf, Mineral resources, Reporting and recordkeeping requirements.

Dated: September 9, 2016.

Amanda C. Leiter,

Acting Assistant Secretary—Land and Minerals Management.

For the reasons stated in the preamble, BOEM amends 30 CFR part 556 as follows:

PART 556—LEASING OF SULFUR OR OIL AND GAS AND BONDING REQUIREMENTS IN THE OUTER CONTINENTAL SHELF

■ 1. The authority citation for part 556 continues to read as follows:

Authority: 30 U.S.C. 1701 note, 30 U.S.C. 1711, 31 U.S.C. 9701, 42 U.S.C. 6213, 43 U.S.C. 1331 note, 43 U.S.C. 1334, 43 U.S.C. 1801–1802.

■ 2. Revise § 556.105 to amend the definition of ''you'' to read as follows:

§ 556.105 Acronyms and definitions.

* * * * *

You, depending on the context of the regulations, means a bidder, a prospective bidder, a lessee (record title owner), an operating rights owner, an applicant seeking to become an assignee of record title or operating rights, a designated operator or agent of the lessee, a predecessor lessee, a RUE holder for a State or Federal lease, or a pipeline ROW holder.

* * * * *

[FR Doc. 2016–24586 Filed 10–11–16; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2016–0845]

RIN 1625–AA00

Safety Zone; Tennessee River, Knoxville, TN, MM TNR 646.9–647.1

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for all waters of the Tennessee River beginning at mile marker 646.9 and ending at mile marker 647.1, extending bank to bank. This temporary safety zone is necessary to protect persons and property from potential damage and safety hazard during fireworks displays on or over the navigable waterway. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Ohio Valley or a designated representative.

DATES: This rule is effective without actual notice from October 12, 2016 until November 19, 2016. For the purposes of enforcement, actual notice will be used from September 1, 2016 until October 12, 2016.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type USCG–2016–0845 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Petty Officer Ashley Schad, MSD Nashville, Nashville, TN, at 615–736–5421 or at *Ashley.M.Schad@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the event sponsor submitted the event application on August 9, 2016. This late submission did not give the Coast Guard enough time to complete the full NPRM process. It is impracticable to publish an NPRM because we must establish this safety zone by September 1, 2016.

We are issuing this rule, and under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective less than 30 days after publication in the **Federal Register**. Delaying this rule would be contrary to public interest of ensuring the safety of spectators and vessels during the event. Immediate action is necessary to prevent possible loss of life and property during the hazards created by a barge-based fireworks display near and over the navigable waterway.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The Captain of the Port Ohio Valley (COTP) has determined the need to protect persons, property, and infrastructure during the fireworks display taking place on the left descending bank of Tennessee River at mile marker 646.9 to 647.1 during University of Tennessee home football games. This rule is needed to protect personnel, vessels, and these navigable waters before, during, and after the fireworks display take place.

IV. Discussion of the Rule

The Captain of the Port Ohio Valley is establishing this safety zone effective from September 1, 2016 through November 19, 2016, for all waters of the Tennessee River beginning at mile marker 646.9 and ending at mile marker 647.1. The periods of enforcement will be 30 minutes prior to, during, and 30 minutes after any fireworks display that takes place on the left descending bank during University of Tennessee home football games. The Coast Guard was informed that there will be a total of seven football games that will have fireworks take place. Safety zone enforcement times will be announced via Broadcast Notice to Mariners (BNM), Local Notices to Mariners (LNM), or through other public notice and at least 12–24 hour notice will be provided before each enforcement period. Any deviations from this rule are prohibited unless specifically authorized by the COTP Ohio Valley, or a designated representative. Deviation requests will be considered and reviewed on a case-by-case basis. The COTP Ohio Valley may be contacted by telephone at 1–800–253–7465 or can be reached by VHF–FM channel 16.

The duration of each safety zone enforcement period is intended to protect persons, property, and infrastructure from safety hazards associated with fireworks displays. No vessel or person would be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. The regulatory text we are establishing appears at the end of this document.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive Orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, it has not been reviewed by the Office of Management and Budget.

This regulatory action determination is based on the size, location, duration, and time-of-day of the safety zone.

This safety zone prohibits transit on the Tennessee River from mile 646.9 to mile 647.1, 30 minutes prior to, during, and 30 minutes after fireworks displays from the left descending bank during approximately seven University of Tennessee home football games from September 1, 2016 through November 19, 2016. Broadcast Notices to Mariners and Local Notices to Mariners will also inform the community of the safety zone enforcement periods through BNM, LNM and other forms of public notice so that they may plan accordingly for each short enforcement period restricting transit. Vessel traffic may request permission from the COTP Ohio Valley or a designated representative to enter the restricted area.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone area may be small entities, for the reasons stated in section V.A above this rule would not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, federalism, if it has 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. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In

particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370(f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone that would prohibit entry to unauthorized vessels. It is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the U.S. Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Temporary § 165.35T08–0845 is added to read as follows:

§ 165.35T08–0845 Safety Zone; Tennessee River, Knoxville, TN.

(a) *Location.* All waters of the Tennessee River beginning at mile marker 646.9 and ending at mile marker 647.1 Knoxville, TN.

(b) *Effective date.* This rule is effective from September 1, 2016 through November 19, 2016.

(c) *Periods of enforcement.* This rule will be enforced from 30 minutes prior to and 30 minutes after all fireworks displays from the left descending bank during University of Tennessee football games. The Captain of the Port Ohio Valley or a designated representative will inform the public through Broadcast Notice to Mariners (BNM), Local Notices to Mariners (LNM), or through other public notice and at least 12–24 in advance of each enforcement period.

(d) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into this area is prohibited unless authorized by the Captain of the Port Ohio Valley or a designated representative.

(2) Persons or vessels requiring entry into or passage through the area must request permission from the Captain of the Port Ohio Valley or a designated representative. U.S. Coast Guard Sector Ohio Valley may be contacted on VHF Channel 13 or 16, or at 1–800–253–7465.

Dated: September 1, 2016.

M.B. Zamperini,

Captain, U.S. Coast Guard, Captain of the Port Ohio Valley.

[FR Doc. 2016–24642 Filed 10–11–16; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R01–OAR–2014–0909; A–1–FRL–9953–84-Region 1]

Air Plan Approval; NH; Regional Haze 5-Year Report

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a State Implementation Plan (SIP) revision submitted by the State of New Hampshire on December 16, 2014. New Hampshire'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. In addition, the December 16, 2014 submittal includes a revised regulation that reduces the total suspended particulate (TSP) emission limit for the state's sole Tangential-Firing, Dry-Bottom Boiler.

DATES: This rule is effective on November 14, 2016.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R01–OAR–2014–0909. 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.

Organization of this document. The following outline is provided to aid in locating information in this preamble.

I. Background.
II. Final Action.
III. Incorporation by Reference.
IV. Statutory and Executive Order Reviews.

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 19, 2016 (81 FR 46866), EPA published a notice of proposed rulemaking (NPR) proposing approval of New Hampshire's December 16, 2014 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 NPR also proposed to approve, and incorporate into the New Hampshire SIP, New Hampshire's revised section Env-A 2302.02 Emission Standards Applicable to Tangential-Firing, Dry Bottom Boilers which had been revised to include more stringent particulate matter emission limits.

The specific details of New Hampshire's December 16, 2014 SIP revision and the rationale for EPA's approval are discussed in the NPR and will not be restated here. No public comments were received on the NPR.

II. Final Action

EPA is approving New Hampshire's December 16, 2014 Regional Haze 5-Year Progress Report as meeting the requirements of 40 CFR 51.308(g) and (h). In addition, EPA is approving, and incorporating into the New Hampshire SIP, New Hampshire's revised section Env-A 2302.02 Emission Standards Applicable to Tangential-Firing, Dry Bottom Boilers.

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 (Public Law 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 December 12, 2016. 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 23, 2016.

H. Curtis Spalding,

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 EE—New Hampshire

■ 2. In § 52.1520:

■ a. Paragraph (c) is amended in the table by revising the existing entries for state citation Env-A 2300; and

■ b. Paragraph (e) is amended by adding a new entry at the end of the table.

The revision and addition read as follows:

§ 52.1520 Identification of plan.

* * * * *

(c) *EPA approved regulations.*

EPA-APPROVED NEW HAMPSHIRE REGULATIONS

State citation	Title/subject	State effective date	EPA approval date [1]	Explanations
*	*	*	*	*
Env-A 2300	Mitigation of Regional Haze	11/22/2014	10/6/2016 [Insert **Federal Register** citation].	Revises Env-A 2302.02
*	*	*	*	*

[1] 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.

* * * * * (e) *Nonregulatory.*

NEW HAMPSHIRE NONREGULATORY

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approved date [3]	Explanations
*	*	*	*	*
Regional Haze Five-Year Progress Report.	Statewide	12/16/14	10/6/2016 [Insert **Federal Register** citation].	
*	*	*	*	*

[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. 2016–24495 Filed 10–11–16; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2016–0366, FRL–9953–78-Region 8]

Approval and Promulgation of State Implementation Plan Revisions to Primary Air Quality Standards, Minor Source Baseline Date, Incorporation by Reference, and 2008 Ozone NAAQS Infrastructure Requirements for CAA Section 110(a)(2)(C) and (D)(i)(II); Wyoming

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving State Implementation Plan (SIP) revisions submitted by the State of Wyoming in two submittals on May 28, 2015 and one submittal on November 6, 2015. The final amendments update the version of the Code of Federal Regulations (CFR) incorporated by reference into the Wyoming Air Quality Standards and Regulations (WAQSR) for Chapter 2, Ambient Standards, Sections 12; Chapter 3, General Emission Standards, Section 9; and Chapter 6, Prevention of Significant Deterioration, Section 4. The EPA also approves the revision in one of the May 28, 2015 submittals that updates a citation to a **Federal Register** article (*i.e.,* **Federal Register** notice) under the definition of ''tpy CO_2 equivalent emissions (CO_2e),'' and lists a new minor source baseline date for fine particulate. The EPA also approves the updates to the primary air quality standards for particulate matter ($PM_{2.5}$) to reflect federal updates that went into effect in January 2013. The updated primary $PM_{2.5}$ standard is 12 micrograms per cubic meter (μg/m^3) annual arithmetic mean concentration, which is lowered from its previous level of 15 μg/m^3. The EPA is also approving portions of the State's February 6, 2014 2008 ozone National Ambient Air Quality Standards (NAAQS) infrastructure certification regarding prevention of significant deterioration (PSD). The EPA is not taking action in this final rule on the Chapter 6, Permitting Requirements, Section 14 portion of a May 24, 2012 submittal or one of the May 28, 2015 submittals because it has been superseded by a November 6, 2015 submittal that the EPA approved in a separate action. The EPA is not taking action on a May 24, 2012 submittal or a March 8, 2013 submittal because they have been superseded by one of the May 28, 2015 submittals.

DATES: This rule is effective on November 14, 2016.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R08–OAR–2016–0366. 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, *e.g.,* 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 through *http://www.regulations.gov,* or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Jody Ostendorf, Air Program, U.S. Environmental Protection Agency (EPA), Region 8, Mail Code 8P–AR, 1595 Wynkoop Street, Denver, Colorado 80202–1129, (303) 312–7814, *ostendorf.jody@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

In our proposed rule (PR) (81 FR 53365, Aug. 12, 2016), the EPA proposed to approve SIP revisions submitted by the State of Wyoming on May 28, 2015 and November 6, 2015.

The amendments proposed to update the version of the CFR incorporated by reference into the rules of the State of Wyoming for Chapter 2, Ambient Standards for Particulate Matter, Section 12; and Chapter 3, General Emission Standards, Section 9. The EPA also proposed to approve updates to a citation to a **Federal Register** article (*i.e.,* **Federal Register** notice) under the definition of ''tpy CO_2 equivalent emissions (CO_2e),'' and a new minor source baseline date for fine particulate for Sweetwater County of December 12, 2012 into WAQSR Chapter 6, Section 4. The EPA proposed to approve an update to the primary air quality standard for $PM_{2.5}$ that reflects federal updates that went into effect in January 2013 into WAQSR Chapter 2, Section 2 subsections (b), (b)(i), (b)(i)(A), (b)(i)(B) and (b)(ii), and which renumbered some portions of Section 2 subsection (b) to (b)(iii), other portions of Section 2 subsection (b) to (c), and Section 2 subsection (c) to (d). The EPA also proposed to approve an update to the version of the American Society for Testing and Materials incorporated by reference into WAQSR for Chapter 3, Section 9.

Additionally, in our PR, the EPA proposed to approve infrastructure elements (C) and (D)(i)(II) prong 3 for the 2008 ozone NAAQS from the State's February 6, 2014 certification. Infrastructure requirements for SIPs are set forth in Section 110(a)(1) and (2) of the CAA. Section 110(a)(2) lists the specific infrastructure elements that a SIP must contain or satisfy.

II. Response to Comments

No comments were received during the public comment period.

III. Final Action

For the reasons expressed in the proposed rule, the EPA is taking final action to approve SIP revisions submitted by the State of Wyoming on May 28, 2015 and November 6, 2015 discussed in Section I. The EPA is also approving infrastructure elements (C) and (D)(i)(II) prong 3 for the 2008 ozone NAAQS from the State's February 6, 2014 certification.

IV. 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 the WAQSR pertaining to General Emission Standards, Prevention of Significant Deterioration, and Ambient Standards, as discussed in Section I. Therefore, these materials have been approved by EPA for inclusion in the State implementation plan, have been incorporated by reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA's approval, and will be incorporated by reference by the Director of the Federal Register in the next update to the SIP compilation.[1] The EPA has made, and will continue to make, these documents generally available electronically through *www.regulations.gov* and/or at the EPA Region 8 Office (please contact the person identified in the ''For Further Information Contact'' section of this preamble for more information).

V. Statutory and Executive Orders Review

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, the 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 the 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 the 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. The 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 December 12, 2016. 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 CAA Section 307(b)(2)).

[1] 62 FR 27968 (May 22, 1997).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Greenhouse gases, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: September 22, 2016.

Shaun L. McGrath,

Regional Administrator, Region 8.

40 CFR part 52 is amended to read 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 ZZ—Wyoming

■ 2. Section 52.2620 is amended:

■ a. In paragraph (c) under ''Chapter 02. Ambient Standards.'' by revising the entry for ''Section 02'', adding an entry ''Section 02 (b), (c), and (d)'', and revising the entry for ''Section 12'';

■ b. In paragraph (c) under ''Chapter 03. General Emission Standards.'' by revising the entry for ''Section 09''; and

■ c. In paragraph (c) under ''Chapter 06. Permitting Requirements.'' by revising the entry for ''Section 04.''.

■ d. In paragraph (e) by adding an entry for ''(26) XXVI, Infrastructure SIP for Section 110(a)(2)(C) and (D)(i)(II) prong 3-2008 Ozone NAAQS'' at the end of the table.

The revisions and addition read as follows:

§ 52.2620 Identification of plan.

* * * * *

(c) * * *

Rule No.	Rule title	State effective date	EPA effective date	Final rule citation/date	Comments
*	*	*	*	*	*
Chapter 02. Ambient Standards					
Section 02	Ambient standards for particulate matter.	9/7/2010	10/27/2014	79 FR 50840, 8/26/14	All, except Section 02(b) and (c).
Section 02 (b), (c), and (d).	Ambient standards for particulate matter.	10/13/2015	11/14/2016.	10/12/2016. [Insert date of publication in the **Federal Register**].	
*	*	*	*	*	*
Section 12	Incorporation by reference.	10/13/2015	11/14/2016.	10/12/2016. [Insert date of publication in the **Federal Register**].	
Chapter 03. General Emission Standards					
*	*	*	*	*	*
Section 09	Incorporation by reference.	11/18/2014	11/14/2016.	10/12/2016. [Insert date of publication in the **Federal Register**].	
*	*	*	*	*	*
Chapter 06. Permitting Requirements					
*	*	*	*	*	*
Section 04	Prevention of significant deterioration.	3/28/2012	1/6/2014	78 FR 73445, 12/06/13	Except definition of ''Greenhouse gases (GHGs)'' (i)(A).
Section 04	Prevention of significant deterioration.	11/18/2014	11/14/2016.	10/12/2016. [Insert date of publication in the **Federal Register**].	Only definitions of ''Greenhouse gases (GHGs)'' (i)(A) and ''Minor source baseline date'' (iv)(D).
*	*	*	*	*	*

* * * * * (e) * * *

Rule No.	Rule title	State effective date	EPA effective date	Final rule citation/date	Comments
*	*	*	*	*	*
(26)XXVI	Infrastructure SIP for Section 110(a)(2)(C) and (D)(i)(II) prong 3 for 2008 Ozone NAAQS.	02/06/2014	11/14/2016.	10/12/2016. [Insert date of publication in the **Federal Register**].	Only includes 111(a)(2)(C) and (D)(i)(II) prong 3 for 2008 Ozone NAAQS.

[FR Doc. 2016–24493 Filed 10–11–16; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 160613514–6908–02]

RIN 0648–BG12

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Grouper Management Measures

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

ACTION: Final rule.

SUMMARY: NMFS issues regulations to implement management measures described in a framework action to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP), as prepared by the Gulf of Mexico Fishery Management Council (Council). This final rule revises the commercial quota and annual catch limit (ACL) and the recreational annual catch target (ACT) and ACL for red grouper in the Gulf of Mexico (Gulf) exclusive economic zone (EEZ). The purpose of this final rule is to adjust the allowable red grouper harvest to achieve optimum yield (OY) based upon an updated Gulf red grouper stock assessment.

DATES: This final rule is effective October 12, 2016.

ADDRESSES: Electronic copies of the framework action, which includes an environmental assessment, a regulatory impact review, and a Regulatory Flexibility Act (RFA) analysis may be obtained from the Southeast Regional Office Web site at *http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/reef_fish/2016/red_grouper_allowable_harvest/index.html.*

FOR FURTHER INFORMATION CONTACT: Richard Malinowski, Southeast Regional Office, NMFS, telephone: 727–824–5305, email: *rich.malinowski@noaa.gov.*

SUPPLEMENTARY INFORMATION: The Gulf reef fish fishery, which includes red grouper, 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).

On July 26, 2016, NMFS published a proposed rule for the framework action and requested public comment (81 FR 48728). The proposed rule and the framework action outline the rationale for the actions contained in this final rule. A summary of the management measures described in the framework action and implemented by this final rule is provided below.

Management Measures Contained in This Final Rule

This final rule revises the commercial quota (which is equivalent to the commercial ACT) and ACL, and the recreational ACT and ACL for Gulf red grouper. All weights described in this final rule are in gutted weight.

Commercial and Recreational Catch Limits

The current red grouper commercial quota and ACL, and recreational ACT and ACL were implemented through a 2011 regulatory amendment (79 FR 67618, November 2, 2011) and Amendment 32 to the FMP (77 FR 6988, February 10, 2012). The current commercial quota is 5,720,000 lb (2,590,000 kg) and the commercial ACL is 6,030,000 lb (2,735,000 kg). The current recreational ACT is 1,730,000 lb (785,000 kg) and the recreational ACL is 1,900,000 lb (862,000 kg).

For Gulf red grouper, 76 percent of the stock ACL is allocated to the commercial sector and 24 percent of the ACL is allocated to the recreational sector. The commercial quota is set by applying a 5-percent buffer to the commercial ACL to account for management uncertainty and the recreational ACT is set by applying an 8-percent buffer to the recreational ACL to account for management uncertainty.

This final rule increases catch levels for both sectors. The commercial quota will be revised to 7,780,000 lb (3,528,949 kg) and the commercial ACL will be revised to 8,190,000 lb (3,714,922 kg). Additionally, the recreational ACT will be revised to 2,370,000 lb (1,075,014 kg) and the recreational ACL to 2,580,000 lb (1,170,268 kg).

The revised commercial quota in this final rule will provide the commercial sector additional harvest opportunities as a result of the increased commercial quota that will be distributed upon the effective date of this final rule in the 2016 fishing year. NMFS notes that the increase to the red grouper commercial multi-use allocation, that is a function of the groupers and tilefish individual fish quota (IFQ) program, will not be distributed in the 2016 fishing year to ensure that the gag commercial ACL is not exceeded as a result of that increase. The increase to the red grouper commercial multi-use allocation will be distributed to the applicable IFQ participants on January 1, 2017, the start of the next fishing year. The increase in the recreational ACL is expected to allow the recreational sector to remain open for the entire fishing year by avoiding the implementation of an in-season accountability measure.

Comments and Responses

A total of 28 comment submissions were received on the framework action and the proposed rule from commercial and recreational fishers, college students, and a sport-fishing club. Ten of the comments received were against increasing the red grouper allowable harvest while six were in favor of the increase. Five commenters stated that the recreational quota should be increased but that the commercial quota should not be increased. Seven additional comments were submitted that were not related to the proposed rule or the framework action; several of these questioned the rationale for the allocation between the commercial and recreational sectors. Specific comments related to the actions in the framework action and the proposed rule as well as NMFS' respective responses, are summarized below.

Comment 1: There is no need to raise catch levels because setting a one-fish recreational bag limit would allow the recreational season to remain open all year.

Response: The Council did not consider reducing the recreational bag limit to one fish in this framework action because the increase in the recreational ACL is expected to allow the recreational sector to remain open the entire fishing year. The Council determined and NMFS agrees that this increase in the recreational ACL is supported by the results of the most recent stock assessment.

Comment 2: Only the recreational quota should be increased, not the commercial quota.

Response: NMFS disagrees that only the recreational quota should be increased through this final rule. Red grouper are managed as an overall Gulf stock and any change to the total allowable catch is allocated to both sectors consistent with the allocations established in Amendment 30B to the FMP (72 FR 17603, April 16, 2009). The Council did not consider and this final rule does not alter current sector allocations. Therefore, both the commercial and recreational sectors will have their respective catch limits increased in this final rule.

Comment 3: The combination of red grouper mortality from red tide events and the associated destruction of red

grouper habitat is detrimental to the species. When this mortality and habitat loss is considered in addition to the uncertainty of the actual recreational landings, the Council and NMFS should take a precautionary approach to any increase of the ACL.

Response: NMFS and the Council considered natural mortality and any relevant landings data uncertainty when deciding what catch levels were appropriate. First, the Council's Integrated Ecosystem Assessment Group (IEA) considered the linkage of natural mortality and recruitment to ecosystem processes including predation, red tide events, and oceanographic conditions to produce estimates of natural mortality for different life stages of red grouper that were incorporated into SEDAR 42. Based on the results of SEDAR 42, the Council's Science and Statistical Committee (SSC) provided two alternative overfishing limit (OFL) and acceptable biological catch (ABC) recommendations: As a declining yield stream and as a constant catch during this period. The Council chose the constant catch OFL and ABC, 14.16 million lb (6.42 million kg), gutted weight, and 13.92 million lb (6.31 million kg), gutted weight, respectively, but chose a more conservative approach in setting the catch levels, basing them on the minimum ABC of 10.77 million lb (4.89 million kg), gutted weight, from the declining yield stream. Second, the uncertainty in recreational landings was accounted for by the Council by applying the ACL/ACT control rule, which resulted in the recreational ACT being set 8 percent below the recreational sector ACL. For the commercial sector, the quota is set 5 percent below the ACL to account for the management uncertainty associated with the multi-use provisions in the IFQ program.

Comment 4: The increase of the red grouper ABC and total ACL should not be approved by NMFS because the bag limit was recently reduced from four to two fish, which should allow the recreational fishing season the remain open throughout the fishing year.

Response: NMFS disagrees that the two fish bag limit will allow the recreational season to remain open for the entire fishing year. Although the recreational bag limit reduction from four to two fish was implemented in the spring of 2015, recreational fishing for red grouper closed on October 8, 2015. Further, as explained in the framework action, both the two-fish bag limit and the increase in the recreational catch level resulting from the implementation of this final rule are necessary to allow the recreational season to remain open through the end of the 2016 fishing year.

Comment 5: The commercial IFQ program for groupers and tilefish should land 95 percent of the red grouper commercial quota for a minimum of 3 to 5 years prior to any red grouper commercial quota increase.

Response: NMFS disagrees. There are a variety of potential reasons why 100 percent of the red grouper commercial quota has not been harvested since the implementation of the IFQ program, including, but not limited to, the current 35 fathom longline closure that occurs annually from June through August, the moratorium on the issuance of new longline endorsements to the Federal reef fish permit, inactive IFQ accounts, and low catch and effort rates. Additionally, individual commercial vessels strive to maximize profits across a diverse range of reef fish and other Gulf species and their harvest strategies, both at the trip level and throughout the fishing year, may result in some red grouper commercial quota not being harvested during a fishing year. Based upon historical landings, NMFS does not expect negative effects on the red grouper stock from increased fishing pressure or ex-vessel market prices to change significantly as a result of this final rule. Additional information on the potential effects to commercial fishing vessels from this action may be found in the Classification Section of this final rule.

Other Measures Contained in the Framework Action Not in This Final Rule

In addition to the measures contained in this final rule, this framework action also revises the Gulf red grouper OFL and ABC based upon the results of SEDAR 42.

The stock OFL in this framework action is increased to 14,160,000 lb (6,422,868 kg) from the current stock OFL of 8,100,000 lb (3,674,098 kg). The ABC in this framework action is also increased from the current red grouper stock ABC of 7,930,000 lb (3,596,987 kg) to an ABC of 13,920,000 lb (6,314,006 kg).

Classification

The Regional Administrator, Southeast Region, NMFS, has determined that this final rule is consistent with the framework action, the FMP, the Magnuson-Stevens Act, and other applicable laws.

This final rule has been determined to be not significant for purposes of Executive Order 12866.

The Magnuson-Stevens Act provides the statutory basis for this rule. The final rule and the preamble to this final rule provide a statement of the need for and objectives of this rule. No duplicative, overlapping, or conflicting Federal rules have been identified. In addition, no new reporting, record-keeping, or other compliance requirements are introduced by this final rule.

In compliance with section 604 of the RFA, NMFS prepared a final regulatory flexibility analysis (FRFA) for this final rule. The FRFA follows.

Public comments relating to socio-economic implications and potential impacts on small businesses are addressed in the response to Comment 5 in the Comments and Responses section of this final rule. No changes to this final rule were made in response to public comments. No comments were received from the Office of Advocacy for the Small Business Administration.

NMFS agrees that the Council's choice of preferred alternatives will best achieve the Council's objectives for the framework action while minimizing, to the extent practicable, the adverse effects on fishers, support industries, and associated communities.

NMFS expects this final rule to directly affect all commercial vessels that harvest red grouper under the FMP.

Only recreational anglers, who may fish from shore, man-made structures, private, rental, or charter vessels, and headboats, are allowed a recreational bag or possession limit of reef fish species in the Gulf. Captains or crew members on federally-permitted charter vessels or headboats (for-hire vessels) cannot harvest or possess Gulf red grouper or other reef fish under the recreational bag limits. Therefore, only recreational anglers would be directly affected by the changes to the red grouper recreational ACL and ACT. Recreational anglers, however, are not considered to be small entities under the RFA, so the economic effects of this final rule on these anglers are outside the scope of the RFA.

For-hire vessels are entities that sell fishing services to recreational anglers. The changes to the recreational red grouper ACL and ACT would not directly alter the services sold by these vessels. Any change in demand for these fishing services and associated economic effects as a result of this final rule would be a consequence of a behavioral change by anglers, secondary to any direct effect on anglers and, therefore, an indirect effect of this final rule. Because the only effects on for-hire vessels would be indirect, they fall outside the scope of the RFA.

As of March 7, 2016, there were 852 valid or renewable Federal Gulf

commercial reef fish permits. Each of these permits is associated with an individual vessel. To harvest red grouper, a vessel permit must be linked to an IFQ account and possess sufficient allocation (pounds of fish) for this species. IFQ accounts can be opened and valid Federal commercial reef fish permits can be linked to IFQ accounts at any time during the year. Allocation is distributed at the beginning of each fishing year based on the shares held by each IFQ participant. Eligible vessels can also purchase red grouper allocation or shares from other IFQ participants. On average (2010 through 2014), 397 commercial vessels landed red grouper each year. Their average annual vessel-level revenue for 2010 through 2014 was approximately $99,000 (2015 dollars), of which $41,000 was from red grouper.

The maximum annual revenue reported by a single one of these vessels in 2014 was approximately $1.5 million (2015 dollars).

On December 29, 2015, NMFS issued a final rule establishing a small business size standard of $11 million in annual gross receipts for all businesses primarily engaged in the commercial fishing industry (NAICS 11411) for RFA compliance purposes only (80 FR 81194, December 29, 2015). Under this rule, a business primarily engaged in commercial fishing (NAICS code 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 has combined annual receipts not in excess of $11 million for all its affiliated operations worldwide. The $11 million standard became effective on July 1, 2016, and is to be used in place of the U.S. Small Business Administration's (SBA) current standards of $20.5 million, $5.5 million, and $7.5 million for the finfish (NAICS 114111), shellfish (NAICS 114112), and other marine fishing (NAICS 114119) sectors of the U.S. commercial fishing industry in all NMFS rules subject to the RFA after July 1, 2016. *Id.* at 81194.

Pursuant to the RFA, and prior to July 1, 2016, an initial regulatory flexibility analysis was developed for this framework action using SBA's size standards. NMFS has reviewed the analyses prepared for this framework action with respect to the new size standard. All of the entities directly regulated by this framework action are commercial fishing businesses and were considered small under the SBA's size standards, and they all would continue to be considered small under the new NMFS standard. Thus, NMFS has determined that the new size standard does not affect analyses prepared for this framework action. No other small entities that would be directly affected by this final rule have been identified.

Of the 852 commercial vessels eligible to fish for the species managed under the FMP, 397 are expected to be affected by this final rule (approximately 47 percent). Because all entities expected to be affected by this final rule are small entities, NMFS has determined that this final rule would affect a substantial number of small entities. Moreover, the issue of disproportionate effects on small versus large entities does not arise in the present case.

Using the Council's preferred alternative, this final rule will set the commercial ACL for red grouper at a constant catch value of 8,190,000 lb (3,714,922 kg). The commercial quota will be set at 95 percent of the commercial ACL. This will represent a 2,060,000 lb (934,400 kg) (36 percent) increase in the commercial quota relative to the status quo. The increased quota is expected to result in an increase in commercial red grouper harvests, although this increase will be constrained by industry capacity, individual harvesters' profit maximization strategies, and current Federal management restrictions. Economic benefits may accrue to the commercial sector as a result of the increased landings and availability of red grouper allocation; however, these would be tempered by potential decreases in ex-vessel and IFQ allocation prices. It is not possible to quantify these economic effects with available data. For 2016, it is unlikely that the Gulf reef fish commercial fleet will be able to harvest all of the additional red grouper amounts made available by the ACL and ACT increases in this final rule because this framework action will likely not be effective until late October 2016. In subsequent fishing years, commercial fishermen may or may not be able to scale-up their operations to harvest the full commercial quota. Price effects in both the ex-vessel and allocation transfer markets will depend on the price elasticity of demand for red grouper and red grouper allocation, respectively. Assuming the price elasticity of demand (percentage change in quantity demanded divided by the percentage change in price) for red grouper in the ex-vessel market is greater than one (*i.e.,* the percentage change in quantity demanded is greater than the percentage change in price), then an increase in landings will result in an increase in ex-vessel revenue and vice versa. Assuming the price elasticity of demand for red grouper allocation is greater than 1, IFQ shareholders will experience an overall increase in allocation transfer proceeds and vice versa. With respect to IFQ share value, if investors believe that the discounted future revenue stream associated with shares is greater under the new commercial quota than under the current quota, then IFQ share prices will likely increase, otherwise they will remain the same or decrease. IFQ account holders that routinely purchase red grouper allocation will likely benefit from the wider availability and cheaper price of allocation. Again, these cost savings may be offset by changes in ex-vessel prices. Additionally, those fishers that have already purchased annual allocation for use later in 2016 will incur supplementary costs because they will have likely overpaid for the allocation. Finally, the increased commercial quota could result in increased congestion of fishing grounds, which in turn, could have a minor impact on harvesting costs.

The following discussion describes the alternatives that were not selected as preferred by the Council.

Four alternatives, including the preferred alternative discussed above, were considered for modifying the red grouper OFL, ABC, and commercial and recreational sector catch levels. The first alternative, the no action alternative, would not be expected to affect current commercial red grouper harvests. This alternative was not selected because the OFL and ABC would not be based on the best scientific information available and economic benefits derived from increased commercial and recreational harvests would be forgone, possibly preventing the achievement of OY.

The second alternative would adopt the OFL and ABC schedule recommended by the SSC for 2016 through 2020. Using the current sector allocation, the commercial and recreational ACLs would be set at 76 percent and 24 percent of the ABC, respectively. Under the second alternative, the commercial quota would be set at 95 percent of the commercial ACL and the recreational ACT would be set at 92 percent of the recreational ACL. This alternative would result in a 154 percent increase in the commercial quota in 2016, followed by successively lower quotas through 2020. In 2020 and subsequent fishing years, the red grouper commercial ACL and quota would be equivalent to the constant catch values specified in the preferred alternative. Economic effects to commercial vessels under this alternative would depend on the capacity of the fleet, individual harvesters' profit maximization strategies, current Federal management restrictions, and the effects of the quota

increase on ex-vessel, IFQ allocation, and IFQ share prices. Given the very substantial size of the quota increases under this alternative, the 35-fathom (64-m) bottom longline closure during June through August each year, and the lack of issuance of new eastern Gulf reef fish bottom longline endorsements, it is not likely that the commercial fleet would be able to harvest all of its quota each year. Therefore, although positive direct economic benefits may result from additional red grouper harvests, increased availability of allocation, and potential increases in IFQ share value, they would be constrained by the industry's capacity and tempered by negative price effects. It is possible that negative price effects from increased allocation and landings could actually result in a decrease in allocation transfer proceeds and ex-vessel revenues, respectively. As for IFQ share prices, NMFS expects they would fluctuate in the short-term as allocation and ex-vessel markets re-stabilize and investors speculate on future market and stock conditions, as well as future Federal management measures. Finally, the increased commercial quotas could result in increased congestion of fishing grounds, which in turn could have a minor impact on harvesting costs. This alternative was not selected because the Council preferred to take a more conservative approach to setting the OFL, ABC, and commercial and recreational catch levels in order to account for scientific uncertainty in the stock assessment, specifically the below average red grouper recruitment in the Gulf since 2005, and to reduce the chances of negative economic effects to commercial vessels from a large increase in the red grouper commercial quota.

The third alternative would implement the constant catch OFL and ABC recommended by the SSC. Using the current sector allocation, the commercial and recreational ACLs would be set at 76 percent and 24 percent of the ABC, respectively. The commercial quota would be set at 95 percent of the commercial ACL and the recreational ACT would be set at 92 percent of the recreational ACL. This would represent a 76 percent increase in the commercial quota from the current quota. This alternative would result in a greater commercial quota compared to the preferred alternative, but a lesser quota compared to the second alternative through 2017. After 2017, the constant catch commercial ACL and quota under this alternative would be greater than both the preferred alternative and the second alternative. Economic effects to commercial vessels under this alternative would depend on the capacity of the fleet, individual harvesters' profit maximization strategies, current Federal management restrictions, and the effects of the quota increase on ex-vessel and IFQ allocation and share prices. As with the second alternative, given the very substantial size of the quota increase under this alternative, the 35-fathom (64-m) bottom longline closure during June through August each year, and the lack of issuance of new eastern Gulf reef fish bottom longline endorsements, it is not likely that the commercial fleet would be able to harvest all of its quota each year. Therefore, although positive direct economic benefits may result from additional red grouper harvests, increased availability of allocation, and potential increases in IFQ share value, they would be constrained by the industry's capacity and tempered by negative price effects. As discussed earlier, these negative price effects could outweigh the economic benefits of increased allocation and landings. Additionally, IFQ share prices would likely fluctuate in the short-term. There would also be an increased potential for fishing congestion and, in turn, increased harvesting costs. Because the commercial quota would be less than under the second alternative but greater than under the preferred alternative, it would be expected to fall in between those alternatives in terms of potential landings and likelihood of negative price effects for 2016 and 2017. In the long-term, this alternative would result in the greatest increase in the commercial quota and greatest potential landings. Because there is insufficient data to estimate the total expected change in landings and revenue, it is not possible to definitively state which alternative would be expected to result in the greatest economic benefits to the commercial sector. This alternative was not selected for the same reasons the Council did not select the second alternative.

This final rule is exempt from the requirement to delay the effectiveness of a final rule by 30 days after publication in the **Federal Register**, under 5 U.S.C. 553(d)(1) because the measures implemented by this final rule relieve restrictions on the regulated community as a result of increased catch levels for the commercial and recreational sectors. Specifically, the revised commercial quota in this final rule will provide the commercial sector additional harvest opportunities as a result of the increased commercial quota that will be distributed upon the effective date of this final rule in the 2016 fishing year. The increase in the recreational ACL is expected to allow the recreational sector to remain open for the entire 2016 fishing year by avoiding the implementation of an in-season accountability measure as a result of the recreational ACL being reached. For these same reasons, NMFS finds good cause under 5 U.S.C. 553(d)(3) to waive the delay in the effective date of this final rule. Delaying implementation of these measures for red grouper could result in a recreational fishing closure and will provide less time for commercial fishermen to harvest the catch level increase before the fishing year's end. Therefore, a delay in effectiveness would diminish the social and economic benefits for reef fish fishermen this final rule provides, which is part of the purpose of the rule itself. Finally, this final rule creates no new duties, obligations, or requirements for the regulated community that would necessitate delaying this rule's effectiveness to allow them to come into compliance with it. Thus, this final rule is effective upon publication.

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule, and shall designate such publications as 'small entity compliance guides.' The agency shall explain the actions a small entity is required to take to comply with a rule or group of rules. As part of this rulemaking process, NMFS prepared a fishery bulletin, which also serves as a small entity compliance guide. The fishery bulletin will be sent to all interested parties.

List of Subjects in 50 CFR Part 622

Annual catch limits, Annual catch targets, Fisheries, Fishing, Gulf, Recreational, Red grouper, Reef fish, Quotas.

Dated: October 5, 2016.

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 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. In § 622.39, revise paragraph (a)(1)(iii)(C) to read as follows:

§ 622.39 Quotas.

* * * * *

(a) * * *

(1) * * *

(iii) * * *

(C) *Red grouper*—7,780,000 lb (3,528,949 kg).

* * * * *

■ 3. In § 622.41, revise the last sentence of paragraph (e)(1) and paragraph (e)(2)(iv) to read as follows:

§ 622.41 Annual catch limits (ACLs), annual catch targets (ACTs), and accountability measures (AMs).

* * * * *

(e) * * *

(1) * * * The applicable commercial ACL for red grouper, in gutted weight, is 8,190,000 lb (3,714,922 kg).

(2) * * *

(iv) The recreational ACL for red grouper, in gutted weight, is 2,580,000 lb (1,170,268 kg). The recreational ACT for red grouper, in gutted weight, is 2,370,000 lb (1,075,014 kg).

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[FR Doc. 2016–24587 Filed 10–11–16; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 150121066–5717–02]

RIN 0648–XE930

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries

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

ACTION: Temporary rule; inseason General category bluefin tuna quota transfer and retention limit adjustment.

SUMMARY: NMFS is transferring 125 metric tons (mt) of Atlantic bluefin tuna (BFT) quota from the Reserve category to the General category for the remainder of the 2016 fishing year. This transfer results in an adjusted 2016 General category quota of 591.7 mt. NMFS also is adjusting the Atlantic tunas General category BFT daily retention limit from five large medium or giant BFT per vessel per day/trip to four large medium or giant BFT per vessel per day/trip for the remainder of the 2016 fishing year. This action is based on consideration of the regulatory determination criteria regarding inseason adjustments and applies to Atlantic tunas General category (commercial) permitted vessels and Highly Migratory Species (HMS) Charter/Headboat category permitted vessels when fishing commercially for BFT.

DATES: The quota transfer is effective October 6, 2016 through December 31, 2016. The general category retention limit adjustment is effective October 9, 2016 through December 31, 2016.

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 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). NMFS is required under ATCA and the Magnuson-Stevens Act to provide U.S. fishing vessels with a reasonable opportunity to harvest the ICCAT-recommended quota.

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 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. Based on the General category base quota of 466.7 mt, 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 14, 2015, NMFS published an inseason action transferring 24.3 mt of BFT quota from the December 2016 subquota to the January 2016 subquota period (80 FR 77264). To date this year, NMFS has published two actions that have adjusted and/or distributed available 2016 Reserve category quota to other quota categories (81 FR 19, January 4, 2016; and 81 FR 60286, September 1, 2016). The Reserve category balance currently is 200.58 mt.

The 2016 General category fishery was open January 1, 2016, through March 31, 2016, reopened June 1, 2016, and remains open until December 31, 2016, or until the General category quota is reached, whichever comes first.

Quota Transfer

Under § 635.27(a)(9), NMFS has the authority to transfer quota among fishing categories or subcategories, after considering 14 determination criteria provided under § 635.27(a)(8), including five new criteria added in Amendment 7.

NMFS has considered all of the relevant determination criteria and their applicability to this inseason quota transfer and change in retention limit in the General category fishery. The criteria and their application are discussed below.

Transfer of 125 mt From the Reserve Category to the General Category

For the inseason quota transfer, NMFS considered the usefulness of information obtained from catches in the particular category for biological sampling and monitoring of the status of the stock (§ 635.27(a)(8)(i)), biological samples collected from BFT landed by General category fishermen and provided by tuna dealers provide NMFS with valuable parts and data for ongoing scientific studies of BFT age and growth, migration, and reproductive status. Additional opportunity to land BFT in the General Category would support the continued collection of a broad range of data for these studies and for stock monitoring purposes.

NMFS also considered the catches of the General category quota to date and the likelihood of closure of that segment of the fishery if no adjustment is made (§ 635.27(a)(8)(ii)). As of October 5, 2016, the General category has landed all 466.7 mt of its 2016 quota. Without a quota transfer, NMFS would have to close the 2016 General category fishery for the remainder of the year. Regarding the projected ability of the vessels fishing under the particular category quota (here, the General category) to harvest the additional amount of BFT before the end of the fishing year

(§ 635.27(a)(8)(iii), NMFS considered catches during the winter fishery in the last several years. General category landings in the winter BFT fishery, which typically begins in December or January each year, are highly variable and depend on availability of commercial-sized BFT. Commercial-sized BFT have continued to be available to General category vessels currently, and NMFS believes that the General category vessels will be able to harvest the additional amount (125 mt) of quota before the end of the fishing year.

NMFS also considered the estimated amounts by which quotas for other gear categories of the fishery might be exceeded (§ 635.27(a)(8)(iv)) and the ability to account for all 2016 landings and dead discards. Overall, approximately 56 percent of the total of the currently available commercial BFT subquotas for 2016 has been harvested. NMFS will need to account for 2016 landings and dead discards within the adjusted U.S. quota, consistent with ICCAT recommendations and anticipates having sufficient quota to do that even with this transfer from the Reserve category. This quota transfer would provide additional opportunities to harvest the U.S. BFT quota without exceeding it, while preserving the opportunity for General category fishermen to participate in the winter BFT fishery.

Another principal consideration is the objective of providing opportunities to harvest the full annual U.S. BFT quota without exceeding it based on the goals of the 2006 Consolidated HMS FMP and Amendment 7, including to achieve optimum yield on a continuing basis and to optimize the ability of all permit categories to harvest their full BFT quota allocations (§ 635.27(a)(8)(vi)). This transfer is consistent with the quotas established and analyzed in the most recent BFT quota final rule (80 FR 52198, August 28, 2015) and with objectives of the 2006 Consolidated HMS FMP and amendments, and is not expected to negatively impact stock health or to affect the stock in ways not already analyzed in those documents (§ 635.27(a)(8)(v) and (x)).

Based on the considerations above, NMFS is transferring 125 mt of Reserve category quota to the General category for the remainder of 2016, resulting in adjusted General and Reserve category quotas for 2016 of 591.7 mt and 75.6 mt, respectively. NMFS will close the 2016 General category fishery when the adjusted General category quota of 591.7 mt has been reached, unless future adjustments are warranted (as described in the *Monitoring and Reporting* section below*),* or it will close automatically on December 31, 2016.

Adjustment of General Category Daily Retention Limit

Under § 635.23(a)(4), NMFS may increase or decrease the daily retention limit of large medium and giant BFT over a range of zero to a maximum of five per vessel based on consideration of the relevant criteria provided under § 635.27(a)(8), and listed above. NMFS adjusted the daily retention limit for the 2016 January subquota period (which closed March 31) from the default level of one large medium or giant BFT to three large medium or giant BFT in December 2016 (80 FR 77264, December 14, 2015). NMFS adjusted the daily retention limit to five large medium or giant BFT for the June through August 2016 subquota period (81 FR 29501, May 12, 2016), and again for the September, October through November, and December periods (81 FR 59153, August 29, 2016). NMFS has considered the relevant criteria and their applicability to the General category BFT retention limit for the remainder of the fishing year.

As described above with regard to the quota transfer, additional opportunity to land BFT would support the continued collection of a broad range of data for the biological studies and for stock monitoring purposes (§ 635.27(a)(8)(i)). Regarding the effects of the adjustment on BFT stock rebuilding and the effects of the adjustment on accomplishing the objectives of the fishery management plan (§ 635.27(a)(8)(v) and (x)), this action would be taken consistent with the previously implemented and analyzed quotas, and it is not expected to negatively impact stock health or otherwise affect the stock in ways not previously analyzed. It is also supported by the Environmental Analysis for the 2011 final rule regarding General and Harpoon category management measures, which established the current range over which we may set the General category daily retention limit (*i.e.,* from zero to five fish) (76 FR 74003, November 30, 2011).

As described above, a principal consideration is the objective of providing opportunities to harvest the available U.S. BFT quota without exceeding that quota, based on the goals of the 2006 Consolidated HMS FMP and Amendment 7. The retention limit currently is five fish. We are setting the retention limit at four through this action because, given the expected level of fishing effort and catch rates, a continued level of five fish may lead to exceeding the adjusted category quota, and less than four would likely result in underharvest.

Based on these considerations, NMFS has determined that a four-fish General category retention limit is warranted for the remainder of the year. It would provide a reasonable opportunity to harvest the U.S. quota of BFT without exceeding it, while maintaining an equitable distribution of fishing opportunities, help optimize the ability of the General category to harvest its available quota, allow collection of a broad range of data for stock monitoring purposes, and be consistent with the objectives of the 2006 Consolidated HMS FMP and amendments. Therefore, NMFS adjusts the General category retention limit from five to four large medium or giant BFT per vessel per day/trip, effective October 9, 2016 through December 31, 2016.

Regardless of the duration of a fishing trip, the daily retention limit applies upon landing. For example (and specific to the limit that will apply through the end of the year), whether a vessel fishing under the General category limit takes a two-day trip or makes two trips in one day, the day/trip limit of four fish applies and may not be exceeded upon landing. This General category retention limit is effective in all areas, except for the Gulf of Mexico, where NMFS prohibits targeted fishing for BFT, and applies to those vessels permitted in the General category, as well as to those HMS Charter/Headboat permitted vessels fishing commercially for BFT.

Monitoring and Reporting

NMFS will continue to monitor the BFT fishery closely. Dealers are required to submit landing reports within 24 hours of a dealer receiving BFT. 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.* Depending on the level of fishing effort and catch rates of BFT, NMFS may determine that additional action (*i.e.,* quota and/or daily retention limit adjustment, or closure) is necessary to ensure available quota is not exceeded or to enhance scientific data collection from, and fishing opportunities in, all geographic areas. If needed, subsequent adjustments will be published in the **Federal Register**. In addition, fishermen may call the Atlantic Tunas Information Line at (978) 281–9260, or access *hmspermits.noaa.gov,* for updates on quota monitoring and inseason adjustments.

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 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. Affording prior notice and an opportunity for public comment to implement the quota transfer and daily retention limit for the remainder of the year is impracticable as NMFS must react as quickly as possible to updated data and information that then requires immediate action to be effective on the fishing grounds and thus efficiently manage the fishery. NMFS could not effectively react to this data if, in implementing the retention limit, it allowed a public comment period, which, for both the quota transfers, would preclude fishermen from harvesting BFT that are legally available consistent with all of the regulatory criteria.

Delays in adjusting the retention limit may result in the available quota being exceeded and NMFS needing to close the fishery earlier than otherwise would be necessary under a lower limit. This could adversely affect those General and HMS Charter/Headboat category vessels that would otherwise have an opportunity to harvest BFT under retention limits set in response to the most recent data available. Limited opportunities to harvest the respective quotas may have negative social and economic impacts for U.S. fishermen that depend upon catching the available quota within the time periods designated in the 2006 Consolidated HMS FMP, as amended. Adjustment of the retention limit needs to be effective as soon as possible to extend fishing opportunities for fishermen in geographic areas with access to the fishery only during this time period. 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 these reasons, there is good cause under 5 U.S.C. 553(d) to waive the 30-day delay in effectiveness.

This action is being taken under §§ 635.23(a)(4) and 635.27(a)(9), and is exempt from review under Executive Order 12866.

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

Dated: October 6, 2016.

Emily H. Menashes,

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

[FR Doc. 2016–24623 Filed 10–6–16; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 81, No. 197
Wednesday, October 12, 2016

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 TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2016–9151; Airspace Docket No. 16–ASW–15]

Proposed Revocation of Class E Airspace and Establishment of Class E Airspace; Ruston, LA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to remove Class E airspace extending upward from 700 feet above the surface at Ruston Municipal Airport, Ruston, LA, as the airport has closed and controlled airspace is no longer required. Class E airspace extending upward from 700 feet above the surface would be established at the new Ruston Regional Airport, Ruston, LA, for safety and management of instrument flight rules (IFR) operations at the airport.

DATES: Comments must be received on or before November 28, 2016.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366–9826, or 1–800–647–5527. You must identify FAA Docket No. FAA–2016–9151; Airspace Docket No. 16–ASW–15, at the beginning of your comments. You may also submit comments through the Internet at *http://www.regulations.gov.* You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *http://www.faa.gov/air_traffic/publications/.* For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202–267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11A at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.*

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX, 76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part, A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend Class E airspace in the Ruston, LA, area.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. FAA–2016–9151/Airspace Docket No. 16–ASW–15.'' The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at *http://www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's Web page at *http://www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) Part 71 by removing Class E airspace at Ruston Municipal Airport, Ruston, LA, as the airport has been closed; therefore controlled airspace is no longer needed. Class E airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Ruston Regional Airport, Ruston, LA would be established. Controlled airspace is necessary for the safety and management of standard instrument approach procedures for IFR operations at the airport.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (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); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016, is amended as follows:

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

* * * * *

ASW LA E5 Ruston, LA [Removed]

* * * * *

ASW LA E5 Ruston, LA [New]

Ruston Regional Airport, LA
(Lat. 32°30′53″ N., long. 92°35′18″ W.)
That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the airport.

Issued in Fort Worth, Texas, on October 3, 2016.

Walter Tweedy,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2016–24658 Filed 10–11–16; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 219

RIN 0596–AD28

National Forest System Land Management Planning

AGENCY: Forest Service, USDA.

ACTION: Notice of proposed rulemaking; request for comment.

SUMMARY: The U.S. Department of Agriculture, Forest Service is proposing to amend regulations pertaining to the National Forest System Land Management Planning. The proposed rule would amend the administrative procedures to amend land management plans developed or revised in conformance with the provisions under a prior planning rule.

DATES: Comments must be received in writing by November 14, 2016. The Agency will consider and place comments received after this date in the record only if practicable.

ADDRESSES: Submit comments concerning the proposed rule through one of the following methods:

1. Public participation portal: https://cara.ecosystem-management.org/Public/CommentInput?project=NP-1403.

2. Facsimile: Fax to: 202–649–1172. Please identify your comments by including ''RIN 0596–AD28'' or ''planning rule amendment'' on the cover sheet or the first page.

3. U.S. Postal Service: The mailing address is: USDA Forest Service Planning Rule Comments, 2222 W. 2300 S., Salt Lake City, UT 84119.

FOR FURTHER INFORMATION CONTACT: Ecosystem Management Coordination staff's Assistant Director for Planning Andrea Bedell Loucks at 202–205–8336 or Planning Specialist Regis Terney at 202–205–1552.

SUPPLEMENTARY INFORMATION:

Background

The mission of the Forest Service is to sustain the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations. In accomplishing this mission, the Agency is required by statute to develop land management plans to guide management of the 154 national forests, 20 grasslands, and 1 prairie that comprise the 193 million acre National Forest System (NFS).

The National Forest Management Act required the Secretary of Agriculture to develop a planning rule ''under the principles of the Multiple-Use Sustained-Yield Act of 1960, that set[s] out the process for the development and revision of the land management plans, and the guidelines and standards'' (16 U.S.C. 1604(g)). The Secretary fulfilled this requirement by issuing a rule, codified at title 36, Code of Federal Regulations, part 219 (36 CFR part 219), which sets requirements for land management planning and content of plans. In 1979, the U.S. Department of Agriculture (Department) issued the first regulations to comply with this statutory requirement. The 1979 regulations were superseded by the 1982 planning rule.

Numerous efforts were made over the past three decades to improve on the 1982 planning rule. On November 9, 2000, the Department issued a new planning rule that superseded the 1982 rule (65 FR 67514). Shortly after the issuance of the 2000 rule, a review of the rule found that it would be unworkable and recommended that a new rule should be developed. The Department amended the 2000 rule so that responsible officials could continue

to use the 1982 planning rule provisions until a new rule was issued (67 FR 35431, May 20, 2002). Attempts to replace the 2000 rule, in 2005 and 2008, were set aside by the courts on procedural grounds, with the result that the 2000 rule remained in effect. In 2009, the Department reinstated the 2000 rule in the Code of Federal Regulations to eliminate any confusion over which rule was in effect (74 FR 67062, December 18, 2009; 36 CFR part 219, published at 36 CFR parts 200 to 299, revised as of July 1, 2010). In reinstating the 2000 rule into the CFR, the Department specifically provided for the continued use of the 1982 rule provisions, which the Agency used for all planning done under the 2000 rule. The 1982 planning rule procedures have therefore formed the basis of all existing Forest Service land management plans.

On April 9, 2012, the Department issued title 36, Code of Federal Regulations, part 219—Planning (the 2012 planning rule), setting forth directions for developing, amending, revising, and monitoring land management plans (77 FR 21161). The 2012 planning rule is available online at *https://www.gpo.gov/fdsys/pkg/CFR-2013-title36-vol2/pdf/CFR-2013-title36-vol2-part219.pdf.*

On February 6, 2015, the Forest Service issued National Forest System, Land Management Planning Directives (planning directives; 80 FR 6683). The planning directives are the Forest Service Handbook (FSH) 1909.12 and Manual (FSM) Chapter 1920 that establish procedures and responsibilities for carrying out the 2012 planning rule. The planning directives are available online at *http://www.fs.fed.us/im/directives/*.

After the issuance of the 2012 planning rule, the Secretary of Agriculture chartered a Federal Advisory Committee (Committee) to assist the Department and Agency in implementing the new rule. The Committee is made up of 21 diverse members who provide balanced and broad representation on behalf of the public; State, local, and tribal governments; the science community; environmental and conservation groups; dispersed and motorized recreation users; hunters and anglers; private landowners; mining, energy, grazing, timber, and other user groups; and other public interests. The Committee has convened regularly since 2012 to provide the Department and Agency with recommendations on implementation of the 2012 planning rule, including recommendations on the planning directives, assessments, and on lessons learned from the first forests to begin revisions and amendments under the 2012 planning rule. More information about the Committee's membership and work is available online at *http://www.fs.usda.gov/main/planningrule/committee.*

The 2012 planning rule was the product of the most extensive public engagement process in the long history of the planning rule. It requires the use of best available scientific information to inform planning and plan decisions. It also emphasizes providing meaningful opportunities for public participation early and throughout the planning process, increases the transparency of decision-making, and provides a platform for the Agency to work with the public and across boundaries with other land managers to identify and share information and to inform planning. The final 2012 planning rule reflects key themes expressed by members of the public, as well as experience gained through the Agency's 30-year history with land management planning. It is intended to create a more efficient and effective planning process and provide an adaptive framework for planning.

The planning framework under the 2012 rule includes three phases: Assessment, plan development/amendment/revision, and monitoring. The framework supports an integrated approach to the management of resources and uses, incorporates a landscape-scale context for management, and was intended to help the Agency adapt to changing conditions and improve management based on new information and monitoring. The concept of adaptive management is an integral part of the 2012 rule.

For the administrative units of the NFS there are 127 land management plans, 68 of which are past due for revision. Most plans were developed between 1983 and 1993 and should have been revised between 1998 and 2008, based on the National Forest Management Act (NFMA) direction to revise plans at least once every 15 years (16 U.S.C. 1604(f)(5)). The repeated efforts to produce a new planning rule over the past decades contributed to the delay in plan revisions. An additional challenge was that instead of amending plans as conditions on the ground change, responsible officials often waited to make changes all at once during a plan revision, resulting in a drawn-out, difficult, and costly revision process.

Recognizing that adaptive management requires a more responsive and iterative approach to modifying land management plans to reflect new information, the Department's intent when developing the 2012 planning rule was for the planning process to encourage and support the more regular use of amendments to keep plans current between revisions, and thereby also make the revision process less cumbersome because plans would not become as out-of-date between revisions.

Under the 2012 planning rule, responsible officials may amend plans at any time. The 2012 planning rule provides that a plan amendment is required to add, modify, or remove one or more plan components, or to change how or where one or more plan components apply to all or part of the plan area (including management areas or geographic areas).

The 2012 planning rule included a 3-year transition period during which responsible officials could use either the 2012 planning rule or the 1982 planning rule procedures to amend plans approved or revised under the 1982 planning procedures (36 CFR 219.17(b)(2)). The 3-year transition period expired on May 9, 2015, and all plan amendments now must be approved under the requirements of the 2012 planning rule.

In 2014, the Agency began to use the 2012 planning rule to amend plans developed using the 1982 rule procedures (2012 rule amendments to 1982 rule plans). Currently amendments to 44 Forest Service land management plans are pending. As the Agency gained some experience with the process for making 2012 rule amendments to 1982 rule plans and discussed with the Committee early lessons learned, the Committee provided feedback suggesting the need for additional clarity on how to apply the 2012 rule's substantive requirements when amending 1982 rule plans.

While the 2012 planning rule includes direction specific to amendments, and while there is evidence of the Department and Agency's intent in the rule wording, preamble text, and planning directives, the 2012 planning rule did not explicitly direct how to apply the requirements set forth in the 2012 planning rule when amending 1982 rule plans. Using the 2012 rule to amend 1982 rule plans can be a challenge because there are fundamental structural and content differences between the two rules. Because of the underlying differences, a 1982 rule plan likely will not meet all of the requirements of the 2012 planning rule. The integrated approach to land management planning presented in the 2012 planning rule has led to some

confusion about how responsible officials should apply the substantive requirements for sustainability, diversity, multiple use and timber set forth in 36 CFR 219.8 through 219.11 when amending 1982 rule plans.

This proposed amendment to the 2012 planning rule would clarify the Department and Agency's expectations for plan amendments, including expectations for amending 1982 rule plans.

The Department's Position on Applying the 2012 Rule to 1982 Rule Plans

The Department's position is firmly grounded in the National Forest Management Act and the plain wording of the 2012 planning rule, as well as the preambles for the proposed and final rules, the Forest Service land management planning directives, and practical application of Agency planning expertise.

Plans are changed in two distinctly different ways. The National Forest Management Act (NFMA) requires revisions ''when conditions in a unit have significantly changed,'' and ''at least every 15 years'' (16 U.S.C. 1604(f)(5)). NFMA also provides that ''plans can be amended in any manner whatsoever'' (16 U.S.C. 1604(f)(4)). As the 2012 rule states, ''[a] plan revision creates a new plan for the entire plan area, whether the plan revision differs from the prior plan to a small or large extent'' (36 CFR 219.7(a)). A process for a plan revision requires, among other things, preparation of an environmental impact statement (36 CFR 219.7(c)).

In contrast, and as the Department explained in the preamble to the 2012 planning rule, ''[p]lan amendments *incrementally* change the plan as need arises.'' (77 FR 21161, 21237 (April 9, 2012) (emphasis added). Unlike a plan revision, a plan amendment does not create a new plan: It results in an amended plan, with the underlying plan retained except where changed by the amendment. The Department explained its intent that with the 2012 rule, ''plans will be kept more current, effective and relevant by the use of more frequent and efficient amendments, and administrative changes over the life of the plan, also reducing the amount of work needed for a full revision'' (Id.).

The 2012 rule provides that, ''[t]he responsible official has the discretion to determine whether and how to amend the plan.'' (36 CFR 219.13(a)). The 2012 rule reinforces this discretion by providing that the rule ''does not compel a change to any existing plan, except as required in § 219.12 (c)(1)'' (which establishes monitoring requirements). (36 CFR 219.17 (c)).

Under the 2012 rule, ''[p]lan amendments may be broad or narrow, depending on the need for change'' (36 CFR 219.13(a)); and amendments ''could range from project specific amendments or amendments of one plan component, to the amendment of multiple plan components.'' (77 FR 21161, 21237 (April 9, 2012)). Unlike for a plan revision, the 2012 rule does not require an environmental impact statement for every amendment; such a requirement would be burdensome and unnecessary for amendments without significant environmental effect, and ''would also inhibit the more frequent use of amendments as a tool for adaptive management to keep plans relevant, current and effective between plan revisions.'' (Preamble to final rule, 77 FR 21161, 21239 (April 9, 2012)).

The Department's position is that the 2012 planning rule gives responsible officials the discretion, within the framework of the 2012 planning rule's requirements, to tailor the scope and scale of an amendment to a need to change the plan. This position means that, while the 2012 planning rule sets forth a series of substantive requirements for land management plans within §§ 219.8 through 219.11, not every section or requirement within those sections will be directly related to the scope and scale of a given amendment.

However, a plan amendment must be done ''under the requirements of'' the 2012 rule (36 CFR 219.17(b)(2)). Therefore the responsible official's discretion is not unbounded. An amendment cannot be tailored so that the amendment fails to meet directly related substantive requirements or is contrary to any substantive requirement. Rather, when responsible officials identify a need to change a plan, they must determine which substantive requirements within §§ 219.8 through 219.11 of the 2012 rule are directly related to such a change, and propose an amendment that would meet those requirements and not contradict other requirements.

The Department's position reflects the principle that no individual amendment is required to do the work of a revision. A 2012 amendment to a 1982 rule plan does not have to bring the entire plan into compliance with the 2012 rule. The key distinction is between an *amendment* and an *amended plan.* The *amendment*—the changed plan components—must meet the directly related substantive requirements of the 2012 rule and not be contrary to any substantive requirements. However, the responsible official need not propose to change portions of a plan even if those portions are inconsistent with or even contradictory to the 2012 planning rule; therefore, the *amended plan* will have plan components changed by the amendment and plan direction that has not been changed. An amended plan is not held to the same standard as a revised plan, which must meet all of the 2012 planning rule requirements.

For example, the 2012 planning rule requires that the plan must include plan components to provide for scenic character, which is a term of art associated with the scenic management system that was developed in the mid-1990s. If the scope of the amendment to a 1982 plan includes changes to plan direction related to scenery management, then the 2012 rule requirement about scenic character would apply to the affected area. However, a responsible official is not otherwise required to review and modify a 1982 rule plan to meet the 2012 rule's requirement to provide for scenic character, outside the scope and scale of the amendment being proposed. This is true even if there is also a separate need to change the plan to protect scenery in a way that is consistent with the 2012 rule. A plan revision would be required to address the scenic character requirement throughout the plan area, but the responsible official has the discretion to narrowly or broadly target plan amendments.

The Department's recognition that not every requirement within §§ 219.8 through 219.11 will apply to every amendment of 1982 rule plans is reflected in the following planning directives quote at FSH 1909.12, ch. 20, sec. 21.3 (emphasis added):

> Amendment of a plan developed and approved using the 1982 Rule process requires application of the 2012 Planning Rule requirements *only to those changes to the plan made by the amendment.* For example, the 2012 Rule's requirements to establish a riparian management zone (36 CFR 219.8(a)(3)) would apply only if the plan amendment focuses on riparian area guidance.

See also the Handbook's direction regarding documentation of a decision to approve an amendment of a 1982 rule plan: ''[f]or plan amendments, the decision document must discuss *only those requirements of 36 CFR 219.8 through 219.11 that are applicable* to the plan components that are being modified or added.'' (FSH 1909.12 ch. 20, sec. 21.3 (emphasis added)).

Further support for the Department's position is in the rule's requirements for project consistency for 1982 rule plans, at 36 CFR 219.17(c):

None of the requirements of this part apply to projects or activities on units with plans developed or revised under a prior planning rule until the plan is revised under this part, except that projects or activities on such units must comply with the consistency requirement of § 219.15 with respect to any amendments that are developed and approved pursuant to this part.

The distinction made in this provision between amendments made pursuant to the 2012 rule and the underlying plan is an acknowledgement that portions of a 1982 rule plan will remain unchanged until revision. The 2012 rule therefore exempts universal application of the consistency requirements until the plan is revised, while also requiring application of the consistency requirements to those changes that are made by a 2012 rule amendment. The distinction between an *amendment* and the *amended plan* is thus reflected in the text of the 2012 rule.

As a general matter, most 1982 rule plans will not be consistent with all of the requirements of the 2012 planning rule. The Department's position is that an individual plan amendment cannot be expected to do the work of a plan revision. This positon not only reflects the intent of the rule wording, preamble text, and planning directives, but is also a practical approach to amending 1982 rule plans under the 2012 rule. This approach comes with the full realization that a unit may have important needs for change beyond those that form the basis of any individual amendment.

During the Department and Agency's conversations with the Committee about the Agency's early efforts to use the 2012 rule to amend 1982 rule plans, the Committee advised that some members of the public have suggested interpretations of the 2012 rule that conflict with the Department's position. For example, some members of the public suggested that because the 2012 rule recognizes that resources and uses are connected, changes to any one resource or use will impact other resources and uses, and therefore all of the substantive provisions in §§ 219.8 through 218.11 must be applied to every amendment.

Other members of the public suggested an opposite view. They believe that the 2012 rule gives the responsible official discretion to selectively pick and choose which, if any, provisions of the rule to apply, allowing the responsible official to avoid 2012 rule requirements or even propose amendments that would contradict the 2012 rule. Under this second interpretation, members of the public hypothesized that a responsible official could amend a 1982 plan to remove plan direction that was required by the 1982 rule without applying relevant requirements in the 2012 rule.

The Department intends in this preamble and proposed amendment to the rule to clarify that neither of these interpretations is correct.

The Agency recognizes that resources and uses are connected and interrelated. However, an interpretation that the rule prevents the responsible official from distinguishing among connected resources such that the Agency must comply with all of the 2012 rule's requirements in §§ 219.8 through 219.11 for each amendment would essentially turn every amendment into a revision, directly contradicting the Department's position as described earlier in this discussion that revisions and amendments serve different functions. Such an interpretation would freeze the Agency's ability to use amendments adaptively to respond to new information and changed conditions on units with 1982 rule plans.

At the same time, the 2012 rule does not give a responsible official the discretion to amend a plan in a manner contrary to the 2012 rule by selectively applying, or avoiding altogether, substantive requirements within §§ 219.8 through 219.11 that are directly related to the changes being proposed. Similarly, an interpretation that the 2012 rule gives responsible officials discretion to propose amendments ''under the requirements'' of the 2012 rule that actually are contrary to those requirements, or to use the amendment process to avoid both 1982 and 2012 rule requirements, is in opposition with the Department's position described earlier in this discussion that the responsible official's discretion to tailor the scope and scale of an amendment is not unbounded.

The Department's position is that a responsible official may use the best available scientific information, scoping, effects analysis, monitoring data, and other rationale to distinguish among connected resources to determine which substantive requirements are directly related to a change being proposed. A responsible official is not required to apply every requirement of every substantive section (§§ 219.8 through 219.11) to every amendment. However, the responsible official is required to apply those substantive requirements that are directly related to the changes being proposed, and cannot propose changes that would undermine or be contrary to other substantive requirements.

Further, the Department's position is that 2012 rule requirements apply to the *amendment* (the plan direction being added, modified, or removed), not to the amended plan. The 2012 rule therefore can be used to amend 1982 rule plans without any individual amendment bearing the burden of bringing the underlying plan into compliance with all of the 2012 rule requirements, even if unchanged direction in the 1982 rule plan fails to address, meet or is contrary to 2012 rule requirements.

Twenty-two forests are currently using the 2012 planning rule to revise their 1982 rule plans, but given Agency budget constraints and staff capacity, revision of all 127 of the Agency's 1982 rule plans will likely take more than 15 years. The clarifications in this proposed rule amendment would help ensure that the Agency can effectively use the 2012 rule to amend 1982 rule plans until they are revised.

When revised plans under the 2012 rule are amended, the process will be much less complicated than the present circumstance of amendments to 1982 rule plans. That is because plans revised under the 2012 rule are expected to meet all of the 2012 rule's substantive requirements. However, this proposed rule amendment clarifies that responsible officials have the discretion to tailor the scope and scale of amendments to adaptively change plans whether an amendment is to a 1982 rule plan or, in the future, to a 2012 rule plan.

Proposed Clarifications

To ensure that the Department's position regarding amendments of 1982 rule plans is clear, the proposed amendment to the 2012 planning rule would clarify that:

- The responsible official determines the scope and scale of a plan amendment based on a need to change the plan.
- The responsible official must use the best available scientific information to inform the amendment process.
- The responsible official must apply the requirements within §§ 219.8 through 219.11 that are directly related to the amendment, unlike a new plan or plan revision when they must bring the plan into compliance with every requirement within §§ 219.8 through 219.11.
- A plan amendment cannot make changes that are contrary to requirements of the 2012 planning rule.
- The decision document must include a rationale for the responsible official's determination of the scope and scale of the amendment, which requirements within §§ 219.8 through 219.11 are directly related, and how they were applied.

Specific Changes

Revise § 219.3

The Agency proposes to add the words ''*for assessment; developing, amending, or revising a plan; and monitoring,*'' to the first sentence of § 219.3, so it is clear that the best available scientific information applies to the plan amendment process as well as the other parts of the planning framework (36 CFR 219.5). Section 219.3 currently states ''the responsible official shall use the best available scientific information to inform the planning process required by this subpart.'' That process includes assessments, plan development, revision and amendment, and monitoring. Expanding the current wording to specifically mention each part of the process, including amendments, would make this section more consistent with other sections of the rule, including: Providing opportunities for public participation (§ 219.4), the plan amendment process (§ 219.13), including specific information in a decision document (§ 219.14), stating whether or not projects authorized at the time of amendment may continue without change (§ 219.15(a)), giving public notice (§ 219.16), setting the effective date for amendments (§ 219.17), and providing an objection opportunity (subpart B).

Amend §§ 219.8 Through 219.11 To Revise the Introductory Text

The Agency proposes to add the words ''a plan *developed or revised* under this rule'' to the introductory text of §§ 219.8 through 219.11 to clarify that the combined set of requirements in each section apply only to plan development or plan revision. Subpart A of the 2012 planning rule (§§ 219.1 through 219.19) recognizes the interrelationship among resources and among the sections, but it was not the intent of the Agency to imply that an individual plan amendment would need to meet all of the requirements of §§ 219.8 through 219.11. This proposed clarification would distinguish between new plans and plan revisions, which must comply with all the requirements in §§ 219.8 through 219.11, and amendments, which do not.

Amend § 219.13 To Revise Paragraph (a)

The Agency proposes to add the words ''*and to determine the scope and scale of any amendment*'' to the end of the third sentence of paragraph (a) that currently states: ''The responsible official has the discretion to determine whether and how to amend the plan.'' This change will clarify that responsible official's discretion to determine whether and how to amend any plan includes the discretion to determine the scope and scale of any amendment except as provided in paragraphs (b) and (c) of this section.

Amend § 219.13 Revise the Introductory Text of Paragraph (b)

The Agency proposes to add the words ''*For all plan amendments,*'' to the introductory text of paragraph b, so it is clear that the procedural and other requirements outlined in § 219.13(b) apply to all amendments.

Amend § 219.13 To Add Paragraph (b)(4)

The Agency proposes adding paragraph (b)(4) as a clarification that each plan component added or changed by a plan amendment must conform to the applicable definition for desired conditions, objectives, standards, guidelines, and suitability of lands set forth in § 219.7(e). The planning directives in the Handbook (1909.12, ch. 20, sec. 21.3) already state this requirement: ''All additions or modifications to the text of plan direction that are made by plan amendments using the 2012 rule must be written in the form of plan components as defined at 36 CFR 219.7(e).''

Section 219.7 of the 2012 rule includes definitions for plan components to bring greater clarity to the Agency's plans, because 1982 rule plans often had an inconsistent approach to plan components—for example, mislabeling desired conditions as standards, or including objectives that did not have a measurable rate of progress.

Bringing the Handbook direction into paragraph (b)(4) of this section would help clarify that the 2012 requirements for formatting plan components, apply to plan amendments, but not to the part of the plan that is not amended. This clarification is important for amendments to 1982 rule plans, where unchanged plan direction will likely not meet the definitions in § 219.7(e), but reformatting that direction would be complicated and could have unintended consequences beyond the scope and scale of the amendment.

The Agency proposes to include a narrow exception to the plan component formatting requirements of paragraph (b)(4) for amendments to 1982 rule plans. This exception would apply to an amendment or part thereof that would change (add to or reduce) a management or geographic area or other areas to which existing direction applies, but would not change the text of that plan direction. This exception would allow the responsible official to avoid rewriting the plan direction within that management area to conform to § 219.7(e), because reformatting plan direction might accidentally broaden the scope of the amendment.

For example, an existing standard or guideline may not meet the definition in § 219.7(e) for those plan components but a formatting change could change the meaning of that plan direction. This formatting exemption is not an exemption from proposed paragraphs (b)(5) and (6) of this section. The expansion or reduction of an area to which existing direction applies would still have to meet directly related substantive requirements of the rule and not be contrary to any substantive requirement. This paragraph simply permits the responsible official to avoid rewriting existing direction in a 1982 rule plan to conform to the drafting direction for plan components set forth in § 219.7(e).

Amend § 219.13 To Add Paragraph (b)(5)

The Agency proposes new paragraph (b)(5) to clarify that, when amending a plan using the 2012 planning rule, the responsible official must meet the specific substantive requirement(s) within §§ 219.8 through 219.11 that are directly related to the plan direction added, modified, or removed by the amendment. The requirements of paragraphs (b)(5) apply only to those plan components being amended, not to the amended plan. This clarification will help the Agency and public understand how to apply the substantive requirements within §§ 219.8 through 219.11.

The Department's intent is that a responsible official use best available scientific information, scoping, effects analyses, monitoring data, and other rationale to inform a determination of which substantive requirements are directly related to the proposed plan amendment, and ensure that the amendment meets those requirements. The responsible official must be able to clearly explain the determination in the decision document for the amendment (see § 219.14).

Interrelationships between resources do not necessarily result in a substantive requirement being directly related to the proposed change. The Department recognize that resources and uses within the plan area are often related to one another—nonetheless, the responsible official can distinguish between rule requirements directly

related to the amendment and those that may be unrelated or for which the relationship is indirect.

For example:

- Soil and water resources are interrelated, but the responsible official can determine that for a plan amendment to change standards and guidelines to protect a water body, the water requirements of § 219.8 would apply, while that section's requirements for soil would not.
- A change in plan components for timber harvest to support restoration may be related to the overall ecological integrity of the plan area, but a responsible official can determine that a change to a plan component for timber harvest for restoration purposes under § 219.11 would not require the application across the plan area of all of the requirements in § 219.8 related to ecological integrity.
- A plan amendment to modify recreation access under § 219.10 could be either directly related or unrelated to that section's requirement for the protection of cultural and historic resources, depending upon the nearness and potential effects of the proposed access to the cultural and historic resources.

A determination that a substantive requirement is directly related to a proposed amendment does not mean that the amendment must be expanded so that the requirement is applied to the entire plan area. For example, an amendment to plan direction for a specific riparian area would require the application of § 219.8 riparian management requirements to the changed direction for that area, but would not require that application of those requirements to other riparian areas in the plan area.

Likewise, an amendment that changes plan components to support habitat for an at-risk species would require application of § 219.9 to those proposed changes, but would not require application of § 219.9 to the entire underlying plan. For example, if the need to change the plan is to identify lands as suitable for an energy corridor, and the proposed corridor would go directly through critical habitat for a threatened species, then the requirements of § 219.9 would be directly related to the amendment as applied to that particular species. The responsible official may be required, for example, to add standards or guidelines to protect the critical habitat. However, the determination that § 219.9 is directly related to the amendment because of the potential impacts to one species would not trigger the application of § 219.9 to evaluate ecological conditions for all other species on the unit.

Amend § 219.13 To Add Paragraph (b)(6)

The Agency proposes adding paragraph (b)(6) to clarify that an amendment must avoid effects that would be directly contrary to any specific substantive requirement of §§ 219.8 through 219.11. The Department intended this result in the guidance in § 219.1(a) that Subpart A sets out the requirements for plan components and other content in land management plans for developing, amending, and revising plans, and is applicable to all units of the National Forest System. The 2012 rule further states in § 219.17(b)(2) that ''[a]fter the 3-year transition period, all plan amendments must be initiated, completed, and approved under the requirements of this part.''

An outcome in which an amendment, using the 2012 rule, could introduce plan components, or change the underlying plan by removing direction in a way that contradicts or undermines the 2012 rule would be a contrary outcome: Paragraph (b)(6) clarifies that expectation.

Proposed paragraph (b)(6) would clarify that the responsible official does not have the discretion to approve an amendment to any plan, whether a 1982 rule plan or a 2012 rule plan, that has effects contrary to a requirement in the 2012 planning rule. The Department's intent is that when a question about effects arises, the responsible official would use best available scientific information (BASI), effects analyses, and other rationale to evaluate whether effects are contrary to a requirement, and to adjust the proposed amendment to avoid such effects. However, the Department's position is that the proposed paragraph (b)(6) does not prevent an amendment from having negative effects on a resource—the 2012 planning rule does not require the absence of negative effects. If effects analyses show negative effects that would be permissible under the 2012 rule, the responsible official would not need to change the proposal as a result of paragraph (b)(6).

There is an important burden-of-proof expectation in proposed paragraph (b)(6). The Department's intent is that paragraph (b)(6) does not require responsible officials to prove that an amendment is *not* contrary to the requirements in §§ 219.8 through 219.11. Rather, when analyses of a proposed amendment reveal that its effects *would be* contrary to a requirement, the proposed amendment must be adjusted to eliminate such effects. This burden-of-proof is similar to how the 2012 planning rule provides for the identification of species of conservation concern. A species must be identified as a species of conservation concern when it is known to occur in the plan area and BASI indicates there *is* substantial concern about the species' capability to persist over the long-term in the plan area. But, the Agency is not required to prove that there *isn't* substantial concern for other species. The same burden-of-proof is intended here.

The analysis already required by the Forest Service NEPA procedures for proposals are expected to provide the information necessary to satisfy proposed paragraph (b)(6). This paragraph does not require additional analyses. (See 36 CFR part 220, FSM 1950, FSH 1909.15). Proposed paragraph (b)(6) anticipates the potential scenario in which a responsible official does not realize that a specific requirement is directly related to the proposed plan amendment, but discovers through NEPA effects analysis that the proposed change would have a negative effect that is contrary to that requirement.

If the customary analysis of effects of a proposed plan amendment reveals effects that would be contrary to a specific substantive requirement within §§ 219.8 through 219.11, the responsible official must change the proposal so that it avoids those contrary effects.

For example: A proposed amendment would identify lands as suitable for an energy corridor. At the time the amendment is proposed, the responsible official does not have information indicating that the proposed corridor includes habitat necessary for an at-risk species and therefore determines that § 219.9 is not directly related to the amendment. However, effects analysis reveals habitat impacts that undermine the persistence of the at-risk species, contrary to § 219.9. At that point, the responsible official could avoid the contrary effects by changing the location of the proposed corridor to avoid that habitat, or could apply § 219.9 to add coarse or fine filter plan components for ecological conditions that would result in avoiding the contrary effects. The responsible official would not have the discretion to approve the amendment without avoiding the contrary effects.

As discussed in the ''Amend § 219.13 to add paragraph (b)(5)'' section of this document, the Department's intent is to distinguish between an amendment and an amended plan. Proposed paragraph (b)(6) applies to the amendment—plan components being added, modified or

removed—*not* to the plan as amended. The Department recognizes that a 1982 rule plan may contain direction contrary to the 2012 rule that is outside of the scope of the amendment being proposed. Paragraph (b)(6) would require that an amendment—the changes—to such a plan not be contrary to 2012 rule requirements, but it does not require that the underlying plan be modified to remove existing contrary direction outside the scope of the amendment.

Amend § 219.13 To Add New Paragraph (c)

The Agency is proposing to add a new paragraph (c), to include additional clarifications on how to apply the 2012 rule to amend 1982 rule plans. Existing direction on administrative changes currently at paragraph (c) would be moved to a new paragraph (d).

Proposed paragraph (c)(1) would clarify that although the existing requirements of §§ 219.8 through 219.11 take into account the interrelationship among resources, an individual plan amendment is not expected to bring an entire 1982 rule plan into compliance with all of the 2012 rule's substantive requirements identified in §§ 219.8 through 219.11. This paragraph reflects the Department's intent to distinguish between the substantive requirements for the amendment (clarified in paragraphs (b)(5) and (b)(6) of this section), and the Department's expectations with regard to the amended plan (which will include both changed and unchanged portions of the underlying plan).

Proposed paragraph (c)(2) would clarify that an amendment cannot remove any existing plan direction that was required by the 1982 rule without including plan components that meet related requirements in §§ 219.8 through 219.11. The Agency believes that this scenario is covered by the proposed clarifications in paragraphs (b)(5) and (b)(6) of this section. These two paragraphs clarify that the responsible official cannot remove direction from a plan without applying the directly related requirements within §§ 219.8 through 219.11. However, we are including proposed paragraph (c)(2) in the proposed amendment based on feedback from the Committee, to get public input during the comment period.

Paragraph (c)(2) is not intended to add to the process burden for amendments. Rather, this paragraph is intended to make clear that removing plan direction required by the 1982 rule without appropriately applying the 2012 rule is not permitted. For example, if an amendment removes a standard that BASI has shown to be material to the viability of an at-risk vertebrate species in the plan area as required by the 1982 rule, the responsible official would have to ensure that the plan provides the ecological conditions for that species as required by § 219.9 of the 2012 rule.

We discussed with the Committee an earlier draft of paragraph (c)(2) that allowed the responsible official to remove direction required by the 1982 rule without applying directly related 2012 rule substantive requirements, *if* the responsible official could demonstrate that the *amended plan* still was consistent with the 1982 rule. For example, the earlier draft would have allowed the removal of a standard for an at-risk vertebrate species without requiring the application of § 219.9, so long as the amended plan still met the viability requirements for that species under the 1982 rule procedures. The Agency decided not to include that option for several reasons. The reasons were: Concerns about the process burden that option could create by necessitating the evaluation of amended plans, the desire to clarify that the 2012 rule's requirements apply to amendments and not amended plans, and because the intent of the 2012 rule was to move away from the 1982 requirements after the 3-year transition period. However, we are describing that option here based on Committee feedback, so that the public can comment.

The Agency proposes to add paragraph (c)(3) to address the scenario in which the species-specific requirements of § 219.9(b) are directly related to the amendment of a 1982 rule plan, but because the plan has not yet been revised, the regional forester has not yet identified the species of conservation concern (SCC) for the plan area. Requiring the responsible official to identify potential SCC before amending 1982 rule plans would freeze the Agency's ability to amend 1982 rule plans. Even where the diversity requirements in § 219.9(b) are directly related to a proposed amendment, requiring the development of the list of SCC to provide species-specific plan components for one or more species would be a disproportionate expansion of the scope and scale of an amendment. Further difficulties would likely arise because the 1982 rule did not include the 2012 rule's complementary ecosystem and species-specific approach to maintaining the diversity of plant and animal communities and the persistence of native species in the plan area.

However, while SCCs are a new element of the 2012 rule, regional foresters have already identified species for which population viability is a concern pursuant to FSM Chapter 2670—Threatened, Endangered and Sensitive Plants and Animals (see 36 CFR 219.9(c); FSM 2670.5). These species are called regional forester sensitive species (RFSS). RFSS are not the same as SCC, but combined with the NEPA effects analysis that is already required for an amendment, the Agency expects that they would be a reasonable proxy to facilitate amendments of 1982 plans before plan revision.

Therefore, the Agency is proposing that responsible officials substitute the RFSS list for SCC when using the 2012 rule to amend 1982 rule plans. This proposal would allow responsible officials to use RFSS in lieu of SCC, and in addition to listed species, to determine whether § 219.9(b) is directly related to the changes being proposed by an amendment as required by proposed paragraph (b)(5) or proposed paragraph (c)(2) of this section, or applies to avoid contrary effects as required by paragraph (b)(6) of this section. In applying § 219.9(b), the responsible official would use RFSS in lieu of SCC to apply the requirements of § 219.9(b) to develop species-specific plan components.

Amend § 219.14

The Agency proposes to change the caption of paragraph (a) from ''Decision document'' to ''Decision document approving a new plan, plan amendment, or revision.'' The Agency proposes to redesignate paragraph § 219.14(b) as § 219.14(d).

In addition, the Agency proposes to remove paragraph (a)(2) which requires responsible officials to explain how plan direction meets the provisions of §§ 219.8 through 219.11. The Agency would replace paragraph (a)(2) with two new paragraphs (b) and (c).

The new paragraph (b) would require responsible officials to explain in a decision document for a new plan or plan revision how the plan direction meets the provisions of §§ 219.8 through 219.11. This wording would be identical to the existing paragraph (a)(2), except would clarify that this requirement applies to new plans or plan revisions only.

The new paragraph (c) focuses on documentation for a plan amendment. The decision document must include a rationale for the responsible official's determination of the scope and scale of the amendment, which requirements within §§ 219.8 through 219.11 are

directly related, and how they were applied.

Technical Correction to Section 219.11

The Department proposes to include one change unrelated to the clarifications for amending 1982 rule plans. This change is a technical correction to fix a mistake made on July 27, 2012, (77 FR 44144, July 27, 2012). In that correcting amendment, the Agency removed a sentence by mistake about the maximum size limits for areas to be cut in one harvest operation in § 219.11(d)(4). This change would simply return to § 219.11 the original sentence as published in the 2012 planning rule on April 9, 2012 (77 FR 21161).

Regulatory Certifications

Energy Effects

This proposed rule has been analyzed under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. It has been determined that it does not constitute a significant energy action as defined in the Executive Order.

Environmental Impacts

In issuing the 2012 planning rule, the Department prepared both an Environmental Impact Statement (EIS) and a biological assessment to support its final decision. The EIS is available online at *http://www.fs.usda.gov/planningrule.*

The Department has concluded that this rule amendment does not require additional documentation under the National Environmental Policy Act. Because this amendment is to clarify the Department's original intent for plan amendment processes and requirements, the range of effects included in the Department's prior NEPA analysis covers this proposed rule amendment. Therefore, there is no need to supplement the National Forest System Land Management Planning Rule Final Programmatic Environmental Impact Statement of January 2012.

In addition, Forest Service regulations at 36 CFR 220.6(d)(2) exclude from documentation in an environmental assessment or environmental impact statement ''rules, regulations, or policies to establish servicewide administrative procedures, program processes, or instruction.'' The Agency has determined that this proposed rule amendment falls within this category of actions and that no extraordinary circumstances exist which require preparation of an environmental assessment or environmental impact statement.

Consultation and Coordination With Indian Tribal Governments

This proposed rule has been reviewed under Executive Order 13175 of November 6, 2000, Consultation and Coordination with Indian Tribal Governments. It has been determined that this proposed rule would not have Tribal implications as defined by Executive Order 13175, and therefore, advance consultation with Tribes is not required.

Regulatory Impact

Executive Order 12866 provides that the Office of Information and Regulatory Affairs (OIRA) at the Office of Management and Budget (OMB) will review all significant rules. OIRA has determined that this rule is not significant.

Executive Order 13563 reaffirms the principles of Executive Order 12866 while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovated, and least burdensome tools for achieving regulatory ends. The Executive Order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. Executive Order 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed this rule in a manner consistent with these requirements.

Regulatory Flexibility

This proposed rule has also been considered in light of the Regulatory Flexibility Act, as amended (5 U.S.C. 601 *et seq.*), and it has been determined that this action will not have a significant economic impact on a substantial number of small business entities as defined by the Regulatory Flexibility Act. Therefore, a regulatory flexibility analysis is not required for this proposed rule.

Federalism

The Forest Service has considered this proposed rule under the requirements of Executive Order 13132 on federalism. The Agency has determined that the proposed rule conforms with the federalism principles set out in this Executive Order; would not impose any compliance costs on the States; and would not have substantial direct effects on the States, on the relationship between the Federal government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, the Agency has determined that no further determination of federalism implications is necessary at this time.

No Takings Implications

This proposed rule has been analyzed in accordance with the principles and criteria in Executive Order 12630. It has been determined that this proposed directive does not pose the risk of a taking of private property.

Civil Justice Reform

This proposed rule has been reviewed under Executive Order 12988 on civil justice reform. If the proposed rule were to be adopted, (1) all State and local laws and regulations that conflict with the proposed rule or that would impede its full implementation would be preempted; (2) no retroactive effect would be given to the proposed rule; and (3) it would not require administrative proceedings before parties may file suit in court challenging its provisions.

Unfunded Mandates

Pursuant to Title II of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538), the Agency has assessed the effects of this proposed directive on State, local, and Tribal governments and the private sector. This proposed directive would not compel the expenditure of $100 million or more by any State, local, or Tribal government or anyone in the private sector. Therefore, a statement under section 202 of the Act is not required.

Controlling Paperwork Burdens on the Public

This proposed rule does not contain recordkeeping or reporting requirements or other information collection requirements as defined in 5 CFR part 1320.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520), the Forest Service requested and received approval of a new information collection requirement for subpart B as stated in 36 CFR 219.61 and assigned control number 0596–0158 as stated in the final rule approval (77 FR 21161, April 9, 2012). Subpart B specifies the information that objectors must give in an objection to a plan, plan amendment, or plan revision (36 CFR 219.54(c)).

However, recently the Agency learned that subpart B is not considered an information collection under the Paperwork Reduction Act of 1995. Subpart B is not an information

collection because the notice indicating the availability of the plan, plan amendment, or plan revision, the appropriate final environmental documents, the draft plan decision document, and the beginning of the objection period is a general solicitation. No person is required to supply specific information pertaining to the respondent, other than that necessary for self-identification.

List of Subjects in 36 CFR Part 219

Administrative practice and procedure, Environmental impact statements, Indians, Intergovernmental relations, National forests, Reporting and recordkeeping requirements, Science and technology.

Therefore, for the reasons set forth in the preamble, the Forest Service proposes to amend 36 CFR part 219 by making the following amendments:

PART 219—PLANNING

■ 1. The authority citation for part 219 continues to read as follows:

Authority: 5 U.S.C. 301; 16 U.S.C. 1604, 1613.

■ 2. Revise § 219.3 to read as follows:

§ 219.3 Role of science in planning.

The responsible official shall use the best available scientific information to inform the planning process required by this subpart for assessment; developing, amending, or revising a plan; and monitoring. In doing so, the responsible official shall determine what information is the most accurate, reliable, and relevant to the issues being considered. The responsible official shall document how the best available scientific information was used to inform the assessment, the plan or amendment decision, and the monitoring program as required in §§ 219.6(a)(3) and 219.14(a)(3). Such documentation must: Identify what information was determined to be the best available scientific information, explain the basis for that determination, and explain how the information was applied to the issues considered.

■ 3. Revise the introductory text to § 219.8 to read as follows:

§ 219.8 Sustainability.

A plan developed or revised under this rule must provide for social, economic, and ecological sustainability within Forest Service authority and consistent with the inherent capability of the plan area, as follows:

* * * * *

■ 4. Revise the introductory text to § 219.9 to read as follows:

§ 219.9 Diversity of plant and animal communities.

This section adopts a complementary ecosystem and species-specific approach to maintaining the diversity of plant and animal communities and the persistence of native species in the plan area. Compliance with the ecosystem requirements of paragraph (a) of this section is intended to provide the ecological conditions to both maintain the diversity of plant and animal communities and support the persistence of most native species in the plan area. Compliance with the requirements of paragraph (b) of this section is intended to provide for additional ecological conditions not otherwise provided by compliance with paragraph (a) of this section for individual species as set forth in paragraph (b) of this section. A plan developed or revised under this rule must provide for the diversity of plant and animal communities, within Forest Service authority and consistent with the inherent capability of the plan area, as follows:

* * * * *

■ 5. Revise the introductory text to § 219.10 to read as follows:

§ 219.10 Multiple use.

While meeting the requirements of §§ 219.8 and 219. 9, a plan developed or revised under this part must provide for ecosystem services and multiple uses, including outdoor recreation, range, timber, watershed, wildlife, and fish, within Forest Service authority and the inherent capability of the plan area as follows:

* * * * *

■ 6. Revise the introductory text to § 219.11 and paragraph (d)(4) to read as follows:

§ 219.11 Timber requirements based on the NFMA.

While meeting the requirements of §§ 219.8 through 219.10, a plan developed or revised under this part must include plan components, including standards or guidelines, and other plan content regarding timber management within Forest Service authority and the inherent capability of the plan area, as follows:

* * * * *

(d) * * *

(4) Where plan components will allow clearcutting, seed tree cutting, shelterwood cutting, or other cuts designed to regenerate an even-aged stand of timber, the plan must include standards limiting the maximum size for openings that may be cut in one harvest operation, according to geographic areas, forest types, or other suitable classifications. Except as provided in paragraphs (d)(4)(i) through (iii) of this section, this limit may not exceed 60 acres for the Douglas-fir forest type of California, Oregon, and Washington; 80 acres for the southern yellow pine types of Alabama, Arkansas, Georgia, Florida, Louisiana, Mississippi, North Carolina, South Carolina, Oklahoma, and Texas; 100 acres for the hemlock-Sitka spruce forest type of coastal Alaska; and 40 acres for all other forest types.

* * * * *

■ 7. Amend § 219.13 as follows:

■ a. Revise paragraph (a);

■ b. Revise the introductory text of paragraph (b) and add paragraphs (b)(4) through (6);

■ c. Redesignate paragraph (c) as paragraph (d) and add new paragraph (c).

The revisions and additions read as follows:

§ 219.13 Plan amendment and administrative changes.

(a) *Plan amendment.* A plan may be amended at any time. Plan amendments may be broad or narrow, depending on the need for change, and should be used to keep plans current and help units adapt to new information or changing conditions. The responsible official has the discretion to determine whether and how to amend the plan and to determine the scope and scale of any amendment. Except as provided by paragraph (d) of this section, a plan amendment is required to add, modify, or remove one or more plan components, or to change how or where one or more plan components apply to all or part of the plan area (including management areas or geographic areas).

(b) *Amendment requirements.* For all plan amendments, the responsible official shall:

* * * * *

(4) Follow the applicable format for plan components, set out at § 219.7(e), for the plan direction added or modified by the amendment, except that where an amendment to a plan developed or revised under a prior planning regulation would modify the area to which existing direction applies, without altering the existing direction, the responsible official may retain the existing formatting for that direction.

(5) Ensure that the amendment meets the specific substantive requirement(s) within §§ 219.8 through 219.11 that are directly related to the plan direction added, modified, or removed by the amendment.

(6) Ensure that the amendment avoids effects that would be contrary to a specific substantive requirement of this

part identified within §§ 219.8 through 219.11.

(c) *Amendment of a plan developed or revised under a prior planning rule.* (1) An amendment of a plan developed or revised under a prior planning rule is not required to bring the amended plan into compliance with all of the requirements of §§ 219.8 through 219.11.

(2) If the proposed amendment would remove direction required by the prior planning regulation, the responsible official must apply the directly related requirements within §§ 219.8 through 219.11.

(3) If species of conservation concern (SCC) have not been identified for the plan area, the responsible official must use the regional forester sensitive species list in lieu of SCC when applying the requirements of § 219.9(b) to a plan amendment for a plan developed or revised under a prior planning regulation.

■ 8. Amend § 219.14 as follows:

■ a. Revise the introductory text to paragraph (a);

■ b. Remove paragraph (a)(2);

■ c. Redesignate paragraphs (a)(3) through (6) as paragraphs (a)(2) through (5), respectively;

■ d. Redesignate paragraph (b) as paragraph (d) and add new paragraph (b);

■ e. Add paragraph (c).

The revisions and additions read as follows:

§ 219.14 Decision document and planning records.

(a) *Decision document approving a new plan, plan amendment, or revision.* The responsible official shall record approval of a new plan, plan amendment, or revision in a decision document prepared according to Forest Service NEPA procedures (36 CFR part 220). The decision document must include:

* * * * *

(b) *Decision document for a new plan or plan revision.* In addition to meeting the requirements of paragraph (a) of this section, the decision document must include an explanation of how the plan components meet the sustainability requirements of § 219.8, the diversity requirements of § 219.9, the multiple use requirements of § 219.10, and the timber requirements of § 219.11;

(c) *Decision document for a plan amendment.* In addition to meeting the requirements of paragraph (a) of this section, the decision document must explain how the responsible official determined:

(1) The scope and scale of the plan amendment; and

(2) Which specific requirements within §§ 219.8 through 219.11 apply to the amendment and how they were applied.

* * * * *

Dated: October 6, 2016.

Thomas L. Tidwell,

Chief, Forest Service.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2016–0543 FRL–9953–91–Region 9]

Determination of Attainment of the 2008 Ozone National Ambient Air Quality Standards; Eastern San Luis Obispo, California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to determine that the San Luis Obispo County (Eastern San Luis Obispo) ozone nonattainment area (NAA) has attained the 2008 ozone National Ambient Air Quality Standards (NAAQS or ''standards'') by the applicable attainment date of July 20, 2016. This determination is based on complete, quality-assured and certified data for the 3-year period preceding that attainment date. If the determination is finalized, the Eastern San Luis Obispo NAA will not be reclassified to a higher ozone classification.

DATES: Any comments must arrive by November 14, 2016.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2016–0543 at *http://www.regulations.gov,* or via email to *levin.nancy@epa.gov.* For comments submitted at *Regulations.gov,* follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov.* For either manner of submission, 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, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For 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.*

FOR FURTHER INFORMATION CONTACT: Nancy Levin, (415) 972–3848, or by email at *levin.nancy@epa.gov.*

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

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I. What is the background for this action?

A. Ozone NAAQS, Area Designations and Classifications

The Clean Air Act (CAA or ''Act'') requires the EPA to establish national primary and secondary standards for certain widespread pollutants, such as ozone, that cause or contribute to air pollution that is reasonably anticipated to endanger public health or welfare.[1] In the 1970s, the EPA promulgated primary and secondary ozone standards, based on a 1-hour average; and, in 1997, we replaced the 1-hour ozone standards with primary and secondary 8-hour ozone standards. In 2008, we tightened the 8-hour ozone standards to the level of 0.075 parts per million (ppm), daily

[1] See sections 108 and 109 of the Act. Primary standards represent ambient air quality standards the attainment and maintenance of which the EPA has determined, including a margin of safety, are requisite to protect the public health. Secondary standards represent ambient air quality standards the attainment and maintenance of which the EPA has determined are requisite to protect the public welfare from any known or anticipated adverse effects associated with the presence of such air pollutant in the ambient air. CAA section 109(b).

maximum 8-hour average.[2] See 73 FR 16436 (March 27, 2008); 40 CFR 50.15. Since the primary and secondary ozone standards are the same, we refer to them herein using the singular ''2008 ozone standard.'' The 2008 ozone standard is met at an ambient air quality monitoring site when the 3-year average of the annual fourth-highest daily maximum 8-hour average ozone concentration is less than or equal to 0.075 ppm, as determined in accordance with 40 CFR part 50, appendix P.

The EPA designated NAAs for the 2008 ozone standard on May 21, 2012, effective July 20, 2012 (77 FR 30088). In that action, the EPA classified by operation of law the eastern portion of San Luis Obispo County, CA (Eastern San Luis Obispo) NAA as ''Marginal.'' [3] The original attainment date for the 2008 ozone standard for this Marginal ozone NAA was as expeditious as practicable but not later than July 20, 2015. See 40 CFR 51.1103.

In May 2016, the EPA granted the State of California a 1-year extension of the attainment date for Eastern San Luis Obispo, thereby extending the applicable attainment date for that area from July 20, 2015 to July 20, 2016.[4]

B. Relevant Statutory and Regulatory Requirements

Section 181(b)(2)(A) of the CAA requires that within six months following the applicable attainment date, the EPA will determine whether an ozone NAA attained the ozone standard based on the area's design value as of that date. The design value is a statistic that describes the air quality status of a given location relative to the level of the NAAQS. For the purpose of comparison with the 2008 ozone standard, the design value for a site is the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentrations.

C. Ambient Air Quality Monitoring Data

A determination of whether an area's air quality meets the 2008 ozone NAAQS is generally based upon three consecutive calendar years of complete, quality-assured data measured at established State and Local Air Monitoring Stations (SLAMS) in the NAA and entered into the EPA Air Quality System (AQS) database. Data from ambient air monitoring sites operated by state or local agencies in compliance with EPA monitoring requirements must be submitted to AQS. Heads of monitoring agencies annually certify that these data are accurate to the best of their knowledge. Accordingly, the EPA relies primarily on data in AQS when determining the attainment status of an area. See 40 CFR 50.15; 40 CFR part 50, appendix P; 40 CFR part 53; 40 CFR part 58, appendices A, C, D and E. All data are reviewed to determine the area's air quality status in accordance with 40 CFR part 50, appendix P.

The 2008 ozone standard is met at an ambient air quality monitoring site when the design value is less than or equal to 0.075 ppm, as determined in accordance with 40 CFR part 50, appendix P. See 40 CFR 50.15. When the design value is less than or equal to 0.075 ppm (based on the rounding convention in 40 CFR part 50, appendix P) at each monitoring site within the area, then the area is meeting the NAAQS. The data completeness requirement is met when the 3-year average percent of days with valid monitoring data is at least 90%, and no single year has less than 75% data completeness as determined in accordance with 40 CFR part 50, appendix P.

II. What is the EPA's analysis of the relevant air quality data?

A. Monitoring Network and Data Considerations

The California Air Resources Board (CARB) and local air pollution control districts and air quality management districts (''districts'') operate ambient air monitoring stations throughout the State of California. CARB is the lead monitoring agency in the Primary Quality Assurance Organization (PQAO) that includes all the monitoring agencies in the State with a few exceptions.[5] [6] There are two ozone SLAMS (referred to as the Red Hills and Carrizo Plains sites) within the Eastern San Luis Obispo ozone NAA, and the San Luis Obispo County Air Pollution Control District (SLOCAPCD) operates both sites. CARB is the PQAO for the two Eastern San Luis Obispo monitoring sites.

All state and local air monitoring agencies are required to submit annual monitoring network plans to the EPA.[7] An annual monitoring network plan discusses the status of the air monitoring network, as required under 40 CFR part 58.10. The SLOCAPCD submits the annual monitoring network plan for all sites in San Luis Obispo County.[8]

Since 2007, the EPA has regularly reviewed these annual monitoring network plans for compliance with the applicable reporting requirements in 40 CFR part 58. With respect to ozone, the EPA found that the area's annual monitoring network plans meet the applicable requirements under 40 CFR part 58. See EPA letters to SLOCAPCD approving its annual monitoring network plans for the years 2013, 2014, and 2015.[9]

The EPA also concluded from its Technical System Audit (TSA) of the CARB PQAO (conducted during Summer 2015), that the combined ambient air monitoring network operated by CARB and the local air districts in its PQAO (which includes SLOCAPCD) currently meets or exceeds the requirements for the minimum number of SLAMS for the 2008 ozone standard.[10] All of the monitoring sites in the PQAO are reviewed with respect to monitoring objectives, spatial scales and other site criteria as required by 40 CFR part 58, appendix D.

CARB oversees the quality assurance of all data collected within the CARB PQAO. The SLOCAPCD annually certifies that the data it submits to AQS for its monitoring sites are complete and quality-assured.[11]

As noted above, there are two ozone SLAMS monitoring sites operating within the Eastern San Luis Obispo NAA. These sites monitor ozone concentrations on a continuous basis

[2] In 2015, we tightened the ozone standards even further and established 0.070 ppm, 8-hour average, as the new ozone NAAQS. 80 FR 65292 (October 26, 2015). While the 1979 1-hour ozone NAAQS and 1997 8-hour ozone NAAQS have been revoked, the 2008 ozone NAAQS remains in effect.

[3] San Luis Obispo County is the northern-most county within the air basin designated by California as the South Central Coast Air Basin. The NAA encompasses roughly the eastern half of San Luis Obispo County.

[4] 81 FR 26697 (May 4, 2016).

[5] PQAO means a monitoring organization, a group of monitoring organizations or other organization that is responsible for a set of stations that monitor the same pollutant and for which data quality assessments can be pooled. Each criteria pollutant sampler/monitor at a monitoring station must be associated with only one PQAO. (40 CFR 58.1).

[6] The Bay Area Air Quality Management District, the South Coast Air Quality Management District and the San Diego Air Pollution Control District are each designated as the PQAO for their respective ambient air monitoring programs.

[7] See 40 CFR 58.10(a)(1).

[8] CARB 2015 Monitoring Network Assessment, September 2015, pages 2–3.

[9] Letters from Meredith Kurpius, Manager, Air Quality Analysis Office, EPA Region IX, to Larry Allen, Air Pollution Control Officer, SLOCAPCD, dated December 11, 2013, October 27, 2014 and October 26, 2015.

[10] Letter from Elizabeth J. Adams, Acting Director, Air Division, EPA Region IX, to Richard Corey, Executive Officer, CARB, dated August 31, 2016, transmitting findings of the EPA's 2015 TSA of the CARB's ambient air monitoring program.

[11] *See, e.g.,* letter from Larry Allen, Air Pollution Control Officer, SLOCAPCD, to Alexis Strauss, Acting Regional Administrator, EPA Region IX, regarding 2015 Annual SLAMS Data Certification, certifying calendar year 2015 ambient air quality data and quality assurance data, April 19, 2016.

using EPA reference or equivalent methods.[12]

Lastly, consistent with the requirements contained in 40 CFR part 50, the EPA has reviewed the quality-assured and certified ozone ambient air monitoring data, as recorded in AQS for the applicable monitoring period, collected at the monitoring sites in the Eastern San Luis Obispo NAA for completeness. The EPA has determined that the data are complete.[13] For the two ozone monitoring sites in Eastern San Luis Obispo, daily maximum 8-hour average concentrations are available for at least 90% of the days within the ozone monitoring season, on average for the 2013–2015 period, and daily maximum 8-hour average concentrations are available for at least 75% of the days within the ozone monitoring season for each individual year within that period.

B. Evaluation of the Ambient Air Quality Data

As noted above, the applicable attainment date for the Eastern San Luis Obispo ozone NAA is July 20, 2016, and under CAA section 181(b)(2)(A), the EPA must determine whether the area attained the 2008 ozone standard by that date. To do so, we must review the ozone data for the three calendar years immediately prior to the attainment date, and, for a 2016 attainment date, the relevant years are 2013, 2014 and 2015. Table 1 shows the fourth-highest daily maximum 8-hour ozone concentrations for 2013 through 2015 at both sites in the Eastern San Luis Obispo area and shows the design values for the 2013–2015 period. The design value for a given area is based on the monitoring site with the highest design value. In this case, the design value for 2013–2015 for the Eastern San Luis Obispo ozone NAA is at the Red Hills site and is 0.073 ppm, which is less than the standard (*i.e.* 0.075 ppm). Therefore, we are proposing to determine, based on the complete, quality-assured and certified data for 2013–2015, that the Eastern San Luis Obispo ozone NAA has attained the 2008 ozone standard by the applicable attainment date of July 20, 2016.

TABLE 1—2013–2015 OZONE DESIGN VALUES AT SITES WITHIN THE EASTERN SAN LUIS OBISPO NAA

Monitoring site	AQS Site identification No.	Fourth-highest daily maximum 8-hour ozone concentration (ppm)			Design value (2013–2015)
		2013	2014	2015	
Red Hills	06–079–8005	0.075	0.073	0.072	0.073
Carrizo Plains	06–079–8006	0.067	0.068	0.068	0.067

Source: EPA AQS Quick Look Report (AMP450), August 10, 2016.

III. What is the effect of this action?

If the EPA finalizes its proposed determination that the Eastern San Luis Obispo NAA has attained the 2008 ozone NAAQS by the applicable attainment date of July 20, 2016, the area would no longer be subject to reclassification as a Moderate area for the 2008 ozone standard. Moreover, the determination of attainment by the applicable attainment date would discharge EPA's obligation, under CAA section 181(b)(2)(A), to determine whether this area attained the standard by its applicable attainment date. This determination of attainment would, however, not constitute a redesignation to attainment. Under CAA section 107(d)(3)(E), redesignations to attainment require states to meet a number of additional statutory criteria including EPA's approval of a SIP revision demonstrating maintenance of the standard for 10 years after redesignation. The designation status of the Eastern San Luis Obispo area remains nonattainment for the 2008 ozone NAAQS until such time as the EPA determines that the area meets the CAA requirements for redesignation to attainment.

IV. Proposed Action and Public Comment

The EPA is proposing to determine that the Eastern San Luis Obispo ozone NAA has attained the 2008 ozone standard by the applicable attainment date of July 20, 2106, based on complete, quality-assured and certified ambient air quality monitoring data for the 2013–2015 monitoring period. If finalized as proposed, the Eastern San Luis Obispo ozone NAA will not be reclassified to a higher classification for the 2008 ozone standard.

The EPA is soliciting public comments on the issues discussed in this document or on other relevant matters. We will accept comments from the public on this proposal for the next 30 days. We will consider these comments before taking final action.

V. Statutory and Executive Order Reviews

The action proposed herein is a determination based on air quality data and does not impose additional requirements beyond those imposed by state law. For that reason, the proposed action:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- 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 the 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 CAA; and

[12] *See* the San Luis Obispo County APCD's *Annual Network Plan Report* (July 2015).

[13] *See* EPA, Air Quality System, Design Value Report, July 25, 2016.

• does not provide the 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, this proposed rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Oxides of nitrogen, Ozone, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: September 28, 2016.

Deborah Jordan,

Acting Regional Administrator, Region IX.

[FR Doc. 2016–24489 Filed 10–11–16; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register
Vol. 81, No. 197
Wednesday, October 12, 2016

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

Animal and Plant Health Inspection Service

[Docket No. APHIS–2016–0066]

Secretary's Advisory Committee on Animal Health; Notice of Solicitation for Membership

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of solicitation for membership.

SUMMARY: We are giving notice that the Secretary is soliciting nominations for membership for this Committee to serve for terms of 2 years.

DATES: Consideration will be given to nominations received on or before November 28, 2016.

ADDRESSES: Completed nomination forms should be sent by email or mail to the person listed under **FOR FURTHER INFORMATION CONTACT**.

FOR FURTHER INFORMATION CONTACT: Dr. Diane L. Sutton, Designated Federal Officer, APHIS Veterinary Services, 4700 River Road Unit 43, Riverdale, MD 20737–1231; email: *SACAH.Management@aphis.usda.gov;* phone (301) 851–3509.

SUPPLEMENTARY INFORMATION: The Secretary's Advisory Committee on Animal Health (SACAH or the Committee) advises the Secretary of Agriculture on strategies, policies, and programs to prevent, control, or eradicate animal diseases. The Committee considers agricultural initiatives of national scope and significance and advises on matters of public health, conservation of national resources, stability of livestock economies, livestock disease management and traceability strategies, prioritizing animal health imperatives, and other related aspects of agriculture.

The Committee Chairperson and Vice Chairperson are elected by the Committee from among its members.

Terms will expire for the current members of the Committee in April or August 2017. We are soliciting nominations from interested organizations and individuals. An organization may nominate individuals from within or outside its membership. Individuals may nominate themselves or someone else. Nomination forms are available on the Internet at *https://www.ocio.usda.gov/document/ad-755* or may be obtained from the person listed under **FOR FURTHER INFORMATION CONTACT**. The Secretary will select members to obtain the broadest possible representation on the Committee, in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 2) and U.S. Department of Agriculture (USDA) Regulation 1041–1. Equal opportunity practices, in line with the USDA policies, will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by the Department, membership should include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

Done in Washington, DC, this 5th day of October 2016.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2016–24606 Filed 10–11–16; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Forest Service

Forestry Research Advisory Council

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Forestry Research Advisory Council (FRAC) will meet in Washington, DC. The Council is required by Section 1441 of the Agriculture and Food Act of 1981 (Act) and operates in compliance with the Federal Advisory Committee Act (FACA). Additional information concerning FRAC can be found by visiting the FRAC's Web site at: *http://www.fs.fed.us/research/about/forestry-research-council/.*

DATES: The meeting will be held on the following dates and time:

- Wednesday, October 12, 2016 from 8:30 a.m. to 5:00 p.m.
- Thursday, October 13, 2016 from 8:30 a.m. to 3:00 p.m.

All FRAC meetings are subject to cancellation. For updated status of the meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will be held at the USDA Forest Service, Yates Building, Leopold Conference Room (2SE01), 201 14th Street SW., Washington, DC.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION**. All comments, including names and addresses, when provided, are placed in the record and available for public inspection and copying. The public may inspect comments received at the USDA Forest Service—Washington Office. Please call ahead at 202–205–1724 to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Tracy C. Hancock, Designated Federal Officer, USDA Forest Service, Office of the Deputy Chief for Research and Development by phone at 202–205–1724, or by email at *tchancock@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to:

1. Discuss current and emerging forestry and natural resource research issues;

2. Provide a presentation and discussion on budget outlooks and program priorities of the US Forest Service Research and Development, and USDA National Institute of Food and Agriculture, including the McIntire-Stennis Cooperative Forestry Research Program; and

3. Discuss anticipated matters that may include USDA engagement in natural resource-related STEM research and education, partnerships with other agencies, interdisciplinary research,

research in urban forestry, wood products development, and landscape-scale forest management.

The meeting is open to the public. The Council discussion is limited to the Forest Service, National Institute of Food and Agriculture staff and Council members; however, persons who wish to bring forestry research related matters to the attention of the Council may file written statements with the Designated Federal Officer (DFO) before or after the meeting.

Written comments must be sent to Tracy C. Hancock, Designated Federal Officer, Forestry Research Advisory Council, USDA Forest Service, Office of Research and Development, Knowledge Management & Communication Staff, 201 14th Street SW., Room–2 Central, Washington, DC 20250; by email to *tchancock@fs.fed.us,* or via fascimile to 202–401–1189 by October 5, 2016.

Meeting Accommodations: If you require sign language interpreting, assistive listening devices or other reasonable accommodation, please request this in advance of the meeting by contacting the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodations requests are managed on a case-by-case basis.

Dated: September 26, 2016.

Carlos Rodriguez-Franco,

Acting Deputy Chief, Research and Development.

[FR Doc. 2016–24651 Filed 10–11–16; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF COMMERCE

Performance Review Board Membership

AGENCY: Economics and Statistics Administration, Department of Commerce.

ACTION: Notice.

SUMMARY: In accordance with 5 U.S.C. 4314(c)(4), the Economics and Statistics Administration (ESA) announces the appointment of members who will serve on the ESA Performance Review Board (PRB). The purpose of the PRB is to provide fair and impartial review of senior executive service and scientific and professional performance appraisals, bonus recommendations, pay adjustments and Presidential Rank Award nominations. The term of each PRB member will expire on December 31, 2018.

DATES: *Effective Date:* The effective date of service of appointees to the ESA Performance Review Board is based upon publication of this notice.

SUPPLEMENTARY INFORMATION: The names and position titles of the members of the PRB are set forth below:

John M. Abowd, Associate Director for Research and Methodology, Census Bureau
Lisa M. Blumerman, Associate Director for Decennial Census Programs, Census Bureau
William G. Bostic, Jr., Senior Advisor to the Deputy Director, Census Bureau
Stephen B. Burke, Acting Deputy Under Secretary for Economic Affairs, ESA
Joanne Buenzli Crane, Chief Financial Officer, Census Bureau
Austin J. Durrer, Chief of Staff, ESA
Ron S. Jarmin, Associate Director for Economic Programs, Census Bureau
Enrique Lamas, Associate Director for Demographic Programs, Census Bureau
Brent R. Moulton, Associate Director for National Economics, Bureau of Economic Analysis (BEA)
Brian C. Moyer, Director, BEA
Timothy Olson, Associate Director for Field Operations, Census Bureau
Joel D. Platt, Associate Director for Regional Economics, BEA
Nancy A. Potok, Deputy Director, Census Bureau
Mary Saunders, Associate Director for Management Resources, National Institute of Standards and Technology
Angela Simpson, Deputy Assistant Secretary for Communications and Information, National Telecommunications and Information Administration
Jeannie L. Shiffer, Associate Director for Communications, Census Bureau
Erich Strassner, Associate Director for Industry Accounts, BEA
Sarahelen Thompson, Deputy Director, BEA

FOR FURTHER INFORMATION CONTACT: Latasha Ellis, Program Manager, Executive Resources Office, Human Resources Division, Census Bureau, 4600 Silver Hill Road, Washington, DC 20233, 301–763–3727.

Dated: October 4, 2016.

Stephen B. Burke,

Acting Deputy Under Secretary for Economic Affairs, Chair, ESA Performance Review Board.

[FR Doc. 2016–24596 Filed 10–11–16; 8:45 am]

BILLING CODE 3510–BS–P

DEPARTMENT OF COMMERCE

Economics and Statistics Administration

Commerce Data Advisory Council

AGENCY: Economic and Statistics Administration, Department of Commerce.

ACTION: Notice of Public Meeting.

SUMMARY: The Economic and Statistics Administration (ESA) is giving notice of the fifth meeting of the Commerce Data Advisory Council (CDAC). The CDAC will discuss Council recommendations, the institutionalization of the Commerce Data Service, as well as other Council matters. The CDAC will meet in a plenary session on Friday, October 28, 2016. Last-minute changes to the schedule are possible, which could prevent giving advance public notice of schedule adjustments.

DATES: October 28, 2016. On Friday, October 28th, the meeting will begin at approximately 9:00 a.m. and end at approximately 5:00 p.m. (ET).

ADDRESSES: The meeting will be held in the Commerce Research Library, U.S. Department of Commerce, 1401 Constitution Ave. NW., Washington, DC 20230.

The meeting is open to the public. Members of the public are welcome to observe the business of the meeting in person or via webcast on the CDAC Web site linked to *http://www.esa.gov.* A public comment session is scheduled in the afternoon on Friday, October 28, 2016. The public is invited to make statements or ask questions in person. The public may also submit statements or questions via the CDAC Twitter handle: #CDACMTG, the CDAC email address, or: *DataAdvisoryCouncil@doc.gov* (subject line ''OCTOBER 2016 CDAC Meeting Public Comment''), or by letter to the Director of External Communication and DFO, CDAC, Department of Commerce, Economics and Statistics Administration, 1401 Constitution Ave. NW., Washington, DC 20230. Submissions by letter will be included in the record for the meeting if received by Thursday, October 20, 2016.

ENTRY REQUIREMENTS: Photo identification is required for entry. If you plan to attend the meeting in person, you must complete registration online no later than *Tuesday, October 25, 2016; http://www.eventbrite.com/o/economic-and-statistics-administration-department-of-commerce-8227114475.*

The meeting is physically accessible to persons with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Director of External Communication as soon as possible, preferably two weeks prior to the meeting.

Seating is available to the public on a first-come, first-served basis.

FOR FURTHER INFORMATION CONTACT: Burton Reist , *BReist@doc.gov* Director of External Communication and DFO,

CDAC, Department of Commerce, Economics and Statistics Administration, 1401 Constitution Ave. NW., Washington, DC 20230, telephone (202) 482–3331.

SUPPLEMENTARY INFORMATION: The CDAC is comprised of up to 20 members, the Commerce Chief Data Officer, and the Economic and Statistics Administration. The Council provides an organized and continuing channel of communication between recognized experts in the data industry (collection, compilation, analysis, dissemination and privacy protection) and the Department of Commerce. The CDAC provides advice and recommendations, including process and infrastructure improvements, to the Secretary, DOC, and the DOC data-bureau leadership on ways to make Commerce data easier to find, access, use, combine and disseminate. The aim of this advice shall be to maximize the value of Commerce data to all users including governments, businesses, communities, academia, and individuals.

The Committee is established in accordance with the Federal Advisory Committee Act (Title 5, United States Code, Appendix 2, Section 10(a)(b)).

Dated: October 3, 2016.

Austin Durrer,

Chief of Staff for Under Secretary for Economic Affairs, Economics and Statistics Administration.

[FR Doc. 2016–24544 Filed 10–11–16; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–978]

High Pressure Steel Cylinders From the People's Republic of China: Rescission of Countervailing Duty Administrative Review: 2015

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

SUMMARY: The Department of Commerce (the Department) is rescinding the administrative review of the countervailing duty order on high pressure steel cylinders from the People's Republic of China (PRC) for the period of review (POR) January 1, 2015, through December 31, 2015, based on the timely withdrawal of requests for review.

DATES: Effective October 12, 2016.

FOR FURTHER INFORMATION CONTACT: Sergio Balbontin at (202) 482–6478, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On June 2, 2016, the Department published a notice of opportunity to request an administrative review of the countervailing duty order on high pressure steel cylinders (steel cylinders) from the PRC for the period of POR of January 1, 2015, through December 31, 2015.[1] The Department received timely-filed requests for an administrative review of Beijing Tianhai Industry Co., Ltd. (BTIC) from Norris Cylinder Company (Norris) and BTIC, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b).[2]

On August 11, 2016, pursuant to these requests and in accordance with 19 CFR 351.221(c)(1)(i), the Department published a notice initiating an administrative review of the countervailing duty order on steel cylinders from the PRC with respect to BTIC.[3] Subsequent to publication of the *Initiation Notice,* the Department requested from U.S. Customs and Border Protection (CBP) data for U.S. imports of subject merchandise during the POR, placed these data on the record, and solicited interested party comments.[4] No comments were received from interested parties. On September 14, 2016, Norris and BTIC withdrew their requests for an administrative review.[5]

Rescission of Review

Pursuant to 19 CFR 351.213(d)(l), the Department will rescind an administrative review, in whole or in part, if the party, or parties, that requested a review withdraw the request/s within 90 days of the publication date of the notice of initiation of the requested review. As noted above, Norris and BTIC withdrew their requests for an administrative review within 90 days of the publication date of the notice of initiation. No other parties requested an administrative review. Therefore, in response to the timely withdrawal of requests for review, and in accordance with 19 CFR 351.213(d)(l), the Department is rescinding, in its entirety, the administrative review of the countervailing duty order on steel cylinders from the PRC for the POR January 1, 2015, through December 31, 2015.

Assessment

The Department will instruct CBP to assess CVDs on entries of steel cylinders from the PRC during the period January 1, 2015 through December 31, 2015, at rates equal to the cash deposit of estimated CVDs required at the time of entry, or withdrawal from warehouse, for consumption in accordance with 19 CFR 351.212(c)(l)(i). The Department intends to issue appropriate assessment instructions to CBP 15 days after the date of publication of this notice.

Notifications

This notice serves as a final reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under an APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This notice is issued and published in accordance with sections 751(a)(l) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: October 5, 2016.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2016–24652 Filed 10–11–16; 8:45 am]

BILLING CODE 3510–DS–P

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[1] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review,* 81 FR 35301 (June 2, 2016).

[2] *See* letters from Norris, ''High Pressure Steel Cylinders from the People's Republic of China Request for Administrative Review and Entry of Appearance,'' dated June 15, 2015, and BTIC, ''Request for the Fourth Administrative Review of the Countervailing Duty Order on High Pressure Steel Cylinders from the People's Republic of China, C–570–978 (POR: 01/01/15–12/31/15),'' dated June 28, 2016.

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 81 FR 53121 (August 11, 2016) (*Initiation Notice*).

[4] *See* Memorandum to the File, ''Countervailing Duty Administrative Review: High Pressure Steel Cylinders from the People's Republic of China: Release of U.S. Customs and Border Protection Data,'' dated September 8, 2016.

[5] *See* Letters from Norris, ''Withdrawal of Request for an Administrative Review of the Countervailing Duty Order on High Pressure Steel Cylinders from the People's Republic of China,'' and BTIC, ''Withdrawal of Review Request in the Fourth Administrative Review of Countervailing Duty Order on High Pressure Steel Cylinders from the People's Republic of China,'' dated September 14, 2016.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–848]

Freshwater Crawfish Tail Meat From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and New Shipper Review; 2014–2015

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

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review and a new shipper review of the antidumping duty order on freshwater crawfish tail meat from the People's Republic of China (PRC). The period of review (POR) for the administrative review and the new shipper review is September 1, 2014, through August 31, 2015. The Department preliminarily determines that imports of freshwater crawfish tail meat from the PRC are being sold in the United States at prices below normal value. The Department also preliminarily determines that the new shipper review respondent, Hubei Qianjiang Huashan Aquatic Food and Product Co., Ltd. (Hubei Qianjiang), has not made sales of freshwater crawfish tail meat at prices below normal value. We invite interested parties to comment on these preliminary results.

DATES: Effective October 12, 2016.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla at (202) 482–3477 (China Kingdom (Beijing) Import & Export Co., Ltd.), Catherine Cartsos (202) 482–1757 (Xuzhou Jinjiang Foodstuffs Co., Ltd.), or Michael Romani (202) 482–0198 (Hubei Qianjiang), AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The merchandise subject to the antidumping duty order is freshwater crawfish tail meat, which is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 1605.40.10.10, 1605.40.10.90, 0306.19.00.10, and 0306.29.00.00. On February 10, 2012, the Department added HTSUS classification number 0306.29.01.00 to the scope description pursuant to a request by U.S. Customs and Border Protection (CBP). While the HTSUS numbers are provided for convenience and customs purposes, the written description is dispositive. A full description of the scope of the order is contained in the Preliminary Decision Memorandum.[1]

Rescission of Review in Part

We rescinded the review in part with respect to Deyan Aquatic Products and Food Co., Ltd (Deyan), Hubei Yuesheng Aquatic Products Co., Ltd., Nanjing Gemsen International Co., Ltd., Weishan Hongda Aquatic Food Co., Ltd., Xiping Opeck Food Co., Ltd., and Yancheng Hi-King Agriculture Developing Co., Ltd.[2]

PRC-Wide Entity

The Department's policy regarding conditional review of the PRC-wide entity applies to this administrative review.[3] Under this policy, the PRC-wide entity will not be under review unless a party specifically requests, or the Department self-initiates, a review of the entity. Because no party requested a review of the PRC-wide entity in this review, the entity is not under review and the entity's rate is not subject to change (*i.e.,* 223.01 percent).[4]

Verification

As provided in section 782(i) of the Act, we intend to verify the information provided by Hubei Qianjiang in the new shipper review of freshwater crawfish tail meat from the PRC using standard verification procedures, including on-site inspection of the producer's and exporter's facilities, and examination of relevant sales and financial records. Our verification results will be outlined in the verification report for Hubei Qianjiang after completion of the verification.

Methodology

The Department is conducting these reviews in accordance with section 751(a)(1)(B), and (a)(2)(B) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214. Export price is calculated in accordance with section 772(c) of the Act. Because the PRC is a non-market economy (NME) within the meaning of section 771(18) of the Act, normal value has been calculated in accordance with section 773(c) of the Act.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is made available to the public via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov,* and to all parties in the Department's Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be found at *http://enforcement.trade.gov/frn/.* The signed and the electronic versions of the Preliminary Decision Memorandum are identical.

Preliminary Results of Administrative Review

The Department determines that the following preliminary dumping margins exist for the administrative review covering the period September 1, 2014, through August 31, 2015:

Producer/Exporter	Weighted-average margin (percent)
China Kingdom (Beijing) Import & Export Co., Ltd	13.90
Xuzhou Jinjiang Foodstuffs Co., Ltd	12.21

Preliminary Results of New Shipper Review

As a result of the new shipper review, the Department preliminarily determines that a dumping margin of 0.00 percent exists for merchandise produced and exported by Hubei Qianjiang, covering the period September 1, 2014, through August 31, 2015.[5]

Disclosure

We intend to disclose calculations performed in these preliminary results to parties within five days after public

[1] *See* Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, entitled, ''Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative Review and New Shipper Review: Freshwater Crawfish Tail Meat from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[2] *See Freshwater Crawfish Tail Meat From the People's Republic of China: Rescission of Antidumping Duty Administrative Review in Part;* 2014–2015, 81 FR 15507 (March 23, 2016).

[3] *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings,* 78 FR 65963 (November 4, 2013).

[4] *See Freshwater Crawfish Tail Meat from the People's Republic of China; Notice of Final Results of Antidumping Duty Administrative Review,* 68 FR 19504 (April 21, 2003).

[5] The Department reached this conclusion based on the totality of the circumstances surrounding the reported sale. *See* Preliminary Decision Memorandum, Bona Fides Analysis section at 3.

announcement of the preliminary results.[6]

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the final verification report is issued in this proceeding and rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.[7] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[8]

Interested parties who wish to request a hearing, must submit a written request to the Assistant Secretary for Enforcement and Compliance. All documents must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.[9] Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. If a request for a hearing is made, we will inform parties of the scheduled date for the hearing, which will be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230, at a time and location to be determined.[10] Parties should confirm, by telephone or email, the date, time, and location of the hearing.

Unless the deadline is extended the Department will issue the final results of these reviews, including the results of its analysis of issues raised by parties in their comments, within 120 days after the publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Assessment Rates

Upon issuing the final results, the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by these reviews.[11] If a respondent's weighted-average dumping margin is above *de minimis* (*i.e.,* 0.50 percent) in the final results of these reviews, the Department will calculate an importer-specific assessment rate on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and, where possible, the total entered value of sales.[12]

In these preliminary results, the Department applied the assessment rate calculation method adopted in the *Final Modification for Reviews, i.e.,* on the basis of monthly average-to-average comparisons using only the transactions associated with the importer with offsets being provided for non-dumped comparisons.[13] Where either the respondent's weighted-average dumping margin is zero or *de minimis,* or an importer-specific assessment rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.[14]

For entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. We intend to issue assessment instructions to CBP 15 days after the date of publication of the final results of these reviews.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of these reviews for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) In the administrative review, for the companies listed above that have a separate rate, the cash deposit rate will be that established in the final results of these reviews (except if the rate is zero or *de minimis, i.e.,* less than 0.5 percent, then no cash deposit will be required) (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter.

With respect to Hubei Qianjiang, the new shipper respondent, the Department established a combination cash deposit rate for this company consistent with its practice as follows: (1) For subject merchandise produced and exported by Hubei Qianjiang, the cash deposit rate will be the rate established for Hubei Qianjiang in the final results of the new shipper review; (2) for subject merchandise exported by Hubei Qianjiang, but not produced by Hubei Qianjiang, the cash deposit rate will be the rate for the PRC-wide entity; and (3) for subject merchandise produced by Hubei Qianjiang but not exported by Hubei Qianjiang, the cash deposit rate will be the rate applicable to the exporter.

These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during these PORs. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation. We are issuing and publishing the preliminary results of these reviews in accordance with sections 751(a)(1), 751(a)(2)(B)(iv), 751(a)(3), 777(i) of the Act, and 19 CFR 351.213, 351.214 and 351.221(b)(4).

[6] *See* 19 CFR 351.224(b).

[7] *See* 19 CFR 351.309. *See also* 19 CFR 351.303 (for general filing requirements).

[8] *See* 19 CFR 351.309(c)(2).

[9] *See* 19 CFR 351.310(c).

[10] *Id.*

[11] *See* 19 CFR 351.212(b)(1).

[12] *Id.*

[13] *See Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification,* 77 FR 8101 (February 14, 2012) (*Final Modification for Reviews*).

[14] *See* 19 CFR 351.106(c)(2).

Dated: October 5, 2016.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

1. Summary
2. Background
3. Scope of the Order
4. *Bona Fides* Analysis
5. Verification
6. Discussion of Methodology
   Non-Market-Economy Country Status
   Surrogate Country
   Separate Rates
   Absence of *De Jure* Control
   Absence of *De Facto* Control
   Fair Value Comparisons
   U.S. Price
   Date of Sale
   Normal Value
   Surrogate Values
7. Currency Conversion
8. Recommendation

[FR Doc. 2016–24656 Filed 10–11–16; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 92–13A001]

Export Trade Certificate of Review

ACTION: Notice of issuance of an amended Export Trade Certificate of Review to Aerospace Industries Association of America, Inc., Application No. 92–13A001.

SUMMARY: The U.S. Department of Commerce issued an amended Export Trade Certificate of Review to Aerospace Industries Association of America, Inc. (''AIA'') on September 26, 2016.

FOR FURTHER INFORMATION CONTACT: Joseph E. Flynn, Director, Office of Trade and Economic Analysis, International Trade Administration, by telephone at (202) 482–5131 (this is not a toll-free number) or email at *etca@trade.gov.*

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. Sections 4001–21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR part 325 (2014). The U.S. Department of Commerce, International Trade Administration, Office of Trade and Economic Analysis (''OTEA'') is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Secretary of Commerce to publish a summary of the issuance in the **Federal Register**. Under Section 305(a) of the Export Trading Company Act (15 U.S.C. 4012(b)(1)) and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

Description of Certified Conduct

AIA's Export Trade Certificate of Review has been amended to:

1. Add the following companies as new Members of the Certificate within the meaning of section 325.2(l) of the Regulations (15 CFR 325.2(l)):

- Accurus Aerospace Corporation, LLC; Irving, TX
- Aerion Corporation; Reno, NV
- Aerospace Exports Incorporated; Moreno, CA
- AirMap; Santa Monica, CA
- Apex International Management Company; Daytona Beach, FL
- Ascent Manufacturing Inc.; Elk Grove Village, IL
- Astronautics Corporation of America; Milwaukee, WI
- Astronics Corporation; East Aurora, NY
- Boston Consulting Group; Boston, MA
- C4 Associates, Inc.; Los Angeles, CA
- CAE USA; Tampa, FL (controlling entity CAE; St. Laurent, Quebec, Canada)
- Capgemini; New York, NY (controlling entity Capgemini, S.A.; Paris, France)
- CDI Corporation; Philadelphia, PA
- Cytec Industries, Inc.; Woodland Park, NJ (controlling entity Solvay SA; Brussels, Belgium)
- Facebook, Inc.; Menlo Park, CA
- FS Precision Tech, Co. LLC; Compton, CA
- FLIR Systems, Inc.; Wilsonville, OR
- Iron Mountain, Inc.; Boston, MA
- J Anthony Group, LLC; Fort Worth, TX
- Kratos Defense & Security Solutions, Inc.; San Diego, CA
- Lavi Systems, Inc.; Van Nuys, CA
- Leidos, Inc.; Reston, VA (controlling entity Leidos Holdings, Inc.; Reston, VA)
- LS Technologies, LLC; Fairfax, VA
- Momentum Aviation Group; Woodbridge, VA
- Pacific Design Technologies; Goleta, CA
- Park-Ohio Holdings Corp.; Cleveland, OH
- Primus Technologies Corporation; Williamsport, PA
- salesforce.com, inc.; San Francisco, CA
- Spacecraft Components Corporation; Las Vegas, NV
- Sunflower Systems; Arlington, VA
- The NORDAM Group, Inc.; Tulsa, OK
- Tip Technologies; Waukesha, WI
- TriMas Aerospace; Los Angeles, CA (controlling entity TriMas Corporation; Bloomfield Hills, MI)
- United Parcel Service of America, Inc.; Atlanta, GA
- Universal Protection Services; Santa Ana, CA (controlling entity Universal Services of America; Santa Ana, CA)
- Verify, Inc.; Irvine, CA
- Verizon Enterprise Solutions; Basking Ridge, NJ (controlling entity Verizon Communications, Inc., New York, NY)
- VogelHood; Washington, DC
- Xerox; Norwalk, CT

2. Delete the following companies as Members of AIA's Certificate:

- Aero Mechanical Industries, Inc.
- Align Aerospace, LLC
- Allfast Fastening Systems
- Alliant Techsystems, Inc.
- AlliedBarton Security Services, LLC
- AMT II Corporation
- ARINC Aerospace
- B/E Aerospace, Inc.
- BRS Aerospace
- CERTON Software, Inc.
- Chromalloy
- Colt Defense, LLC
- Deltek, Inc.
- DigitalGlobe, Inc.
- ENSCO, Inc.
- Erikson Air Crane Inc.
- ESI North America
- ESIS, Inc.
- Exelis, Inc.
- Galaxy Technologies
- General Atomics Aeronautical Systems, Inc.
- Groen Brothers Aviation Global, Inc.
- Guardsmark LLC
- Hi Shear Technology Corporation
- HITCO Carbon Composites, Inc.
- Hydra Electric Company
- IEC Electronics Corporation
- Kemet Electronics Corporation
- NobleTek
- Ontic Engineering and Manufacturing, Inc.
- Oracle USA, Inc.
- Pall Aeropower Corporation
- Parametric Technology Corporation
- Pinkerton Government Services, Inc.
- RAF Tabtronics LLC
- RTI International Metals, Inc.
- Sila Solutions Group
- Satair USA Inc.
- Science Applications International Corporation
- Space Exploration Technologies Corporation
- SRA International, Inc.
- TASC, Inc.
- Timken Aerospace Transmissions, LLC

3. Change in name or address for the following Members:

- AAR Manufacturing, Inc. of Wood Dale, IL, is now named AAR Corp.
- Aerojet, of Rancho Cordova, CA, is now named Aerojet Rocketdyne. The controlling entity is Aerojet Rocketdyne Holdings, Inc., Rancho Cordova, CA.
- AGC Aerospace Defense of Oklahoma City, OK, is now named AGC Aerospace & Defense. The controlling entity is Acorn Growth Companies, Oklahoma City, OK.
- Celestica Corporation of Toronto Canada is now named Celestica Inc.
- Infotech Enterprises America Inc., of East Hartford, CT, is now named Cyient, Inc. The controlling entity and AIA member is Cyient, Ltd. of Hyderabad, India
- Natel Engineering Co. Inc. of Chatsworth, CA is now named NEO Tech.
- Pacifica Engineering, Inc. of Mukiliteo, WA is now named MTorres America of Bothell, WA. The controlling entity is M.TORRES DISENOS INDUSTRIALES, SAU of Torres de Elorz (Navarra) Spain.
- Pinkerton Government Services Inc. of Springfield, VA is now Securitas Critical Infrastructure Services, Inc.

AIA's amendment of its Export Trade Certificate of Review results in the following membership list:

- 3M Company; St. Paul, MN
- AAR Corp.; Wood Dale, IL
- Accenture; Chicago, IL
- Accurus Aerospace Corporation, LLC; Irving, TX
- Acutec Precision Machining, Inc.; Saegertown, PA
- Aerion Corporation; Reno, NV
- Aero-Mark, LLC; Ontario, CA
- Aerojet Rocketdyne; Rancho Cordova, CA
- Aerospace Exports Incorporated; Moreno, CA
- AGC Aerospace & Defense; Oklahoma City, OK
- Aireon LLC; McLean, VA
- AirMap; Santa Monica, CA
- Alcoa Defense; Crystal City, VA
- Allied Telesis, Inc.; Bothell, WA
- American Pacific Corporation; Las Vegas, NV
- Analytical Graphics, Inc.; Exton, PA
- Apex International Management Company; Daytona Beach, FL
- Ascent Manufacturing Inc.; Elk Grove Village, IL
- Astronautics Corporation of America; Milwaukee, WI
- Astronics Corporation: East Aurora, NY
- Aurora Flight Sciences Corporation; Manassas, VA
- AUSCO, Inc.; Port Washington, NY
- Avascent; Washington, DC
- B&E Group, LLC; Southwick, MA
- BAE Systems, Inc.; Rockville, MD
- Ball Aerospace & Technologies Corp.; Boulder, CO
- Barnes Group Inc.; Bristol, CT
- Belcan Corporation; Cincinnati, OH
- Benchmark Electronics, Inc.; Angleton, TX
- Bombardier; Montreal, Canada
- Boston Consulting Group; Boston, MA
- C4 Associates, Inc.; Los Angeles, CA
- CADENAS PARTsolutions, LLC; Cincinnati, OH
- CAE USA; Tampa, FL
- Camcode Division of Horizons, Inc.; Cleveland, OH
- Capgemini; New York, NY
- Castle Metals; Oak Brook, IL
- CDI Corporation; Philadelphia, PA
- Celestica Inc.; Toronto, Canada
- Click Bond, Inc.; Carson City, NV
- Cobham; Arlington, VA
- Computer Sciences Corporation; Falls Church, VA
- CPI Aerostructures, Inc.; Edgewood, NY
- Crane Aerospace & Electronics; Lynnwood, W A
- Cubic Corporation, Inc.; San Diego, CA
- Curtiss-Wright Corporation; Parsippany, NJ
- Cyient Ltd.; East Hartford, CT
- Cytec Industries, Inc.; Woodland Park, NJ
- Deloitte Consulting LLP; New York, NY
- Denison Industries, Inc.; Denison, TX
- Ducommun Incorporated; Carson, CA
- DuPont Company; New Castle, DE
- Eaton Corporation; Cleveland, OH
- Elbit Systems of America, LLC; Fort Worth, TX
- Embraer Aircraft Holding Inc.; Fort Lauderdale, FL
- EPS Corporation; Tinton Falls, NJ
- Ernst & Young LLP; New York, NY
- Esterline Technologies; Bellevue, WA
- Exostar LLC; Herndon, VA
- Facebook, Inc.; Menlo Park, CA
- Flextronics International USA; San Jose, CA
- Flight Safety International Inc.; Flushing, NY
- FLIR Systems, Inc.; Wilsonville, OR
- Fluor Corporation; Irving, TX
- FS Precision Tech, Co. LLC; Compton, CA
- FTG Circuits, Inc.; Chatsworth, CA
- General Dynamics Corporation; Falls Church, VA
- General Electric Aviation; Cincinnati, OH
- GKN Aerospace North America; Irving, TX
- Harris Corporation; Melbourne, FL
- HCL America Inc.; Sunnyvale, CA
- HEICO Corporation; Hollywood, FL
- Hexcel Corporation; Stamford, CT
- Honeywell Aerospace; Phoenix, AZ
- HP Enterprise Services—Aerospace; Palo Alto, CA
- Huntington Ingalls Industries, Inc.; Newport News, VA
- IBM Corporation; Armonk, NY
- Iron Mountain, Inc.; Boston, MA
- J Anthony Group, LLC; Fort Worth, TX
- Jabil Defense & Aerospace Services LLC; St. Petersburg, FL
- Kaman Aerospace Corporation; Bloomfield, CT
- KPMG LLP; New York, NY
- Kratos Defense & Security Solutions, Inc.; San Diego, CA
- L–3 Communications Corporation; New York, NY
- LAI International, Inc.; Scottsdale, AZ
- Lavi Systems, Inc.; Van Nuys, CA
- Leidos, Inc.; Reston, VA
- LMI Aerospace Inc.; St. Charles, MO
- Lockheed Martin Corporation; Bethesda, MD
- Lord Corporation; Cary, NC
- LS Technologies, LLC; Fairfax, VA
- Momentum Aviation Group; Woodbridge, VA
- Marotta Controls, Inc.; Montville, NJ
- Meggitt-USA, Inc.; Simi, CA
- Micro-Coax, Inc.; Pottstown, PA
- Microsemi Corporation; Aliso Viejo, CA
- MOOG Inc.; East Aurora, NY
- MTorres America; Bothell, WA
- National Technical Systems, Inc.; Calabasas, CA
- NEO Tech.; Chatsworth, CA
- Northrop Grumman Corporation; Los Angeles, CA
- NYLOK, LLC; Macomb, MI
- O'Neil & Associates, Inc.; Miamisburg, OH
- Oxford Performance Materials; South Windsor, CT
- Pacific Design Technologies; Goleta, CA
- Park-Ohio Holdings Corp.; Cleveland, OH
- Parker Aerospace; Irvine, CA
- Plexus Corporation; Neenah, WI
- PPG Aerospace-Sierracin Corporation; Sylmar, CA
- Primus Technologies Corporation; Williamsport, PA
- PWC Aerospace & Defense Advisory Services; McLean, VA
- Raytheon Company; Waltham, MA
- Rhinestahl Corporation; Mason, OH
- Rix Industries; Benecia, CA
- Rockwell Collins; Cedar Rapids, IA
- Rolls-Royce North America Inc.; Reston, VA
- salesforce.com, inc.; San Francisco, CA
- SAP America, Inc.; Newtown Square, PA

- SCB Training, Inc.; Santa Fe Springs, CA
- Seal Science, Inc.; Irvine, CA
- Securitas Critical Infrastructure Services, Inc.; Springfield, VA
- Siemens PLM Software; Plano, TX
- Sierra Nevada Corporation, Space Systems; Littleton, CO
- SIFCO Industries, Inc.; Cleveland, OH
- SITA; Atlanta, GA
- Spacecraft Components Corporation; Las Vegas, NV
- Sparton Corporation; Schaumburg, IL
- Spirit AeroSystems; Wichita, KS
- Sunflower Systems; Arlington, VA
- Tech Manufacturing, LLC; Wright City, MO
- Textron Inc.; Providence, RI
- The Boeing Company; Chicago, IL
- The NORDAM Group, Inc.; Tulsa, OK
- The Padina Group, Inc.; Lancaster, PA
- Therm, Incorporated; Ithaca, NY
- Tip Technologies; Waukesha, WI
- TriMas Aerospace; Los Angeles, CA
- Triumph Group, Inc.; Wayne, PA
- United Parcel Service of America, Inc.; Atlanta, GA
- United Technologies Corporation; Hartford, CT
- Universal Protection Services; Santa Ana, CA
- Verify, Inc.; Irvine, CA
- Verizon Enterprise Solutions; Basking Ridge, NJ
- Virgin Galactic, LLC; Las Cruces, NM
- VogelHood; Washington, DC
- Wesco Aircraft Hardware Corporation; Valencia, CA
- Woodward, Inc.; Fort Collins, CO
- Xerox; Norwalk, CT

The effective date of the amendment is June 27, 2016, the date on which AIA's application to amend was deemed submitted.

Dated: October 5, 2016.

Joseph Flynn,

Director, Office of Trade and Economic Analysis, International Trade Administration.

[FR Doc. 2016–24564 Filed 10–11–16; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–475–828]

Stainless Steel Butt-Weld Pipe Fittings From Italy: Rescission of Antidumping Duty Administrative Review; 2015–2016

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

SUMMARY: The Department of Commerce (the Department) is rescinding the administrative review of the antidumping duty order on stainless steel butt-weld pipe fittings from Italy for the period February 1, 2015, through January 31, 2016.

DATES: Effective October 12, 2016.

FOR FURTHER INFORMATION CONTACT: Edythe Artman or Brian Davis, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3931 or (202) 482–7924, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 3, 2016, the Department published a notice of ''Opportunity to Request Administrative Review'' of the antidumping duty order on stainless steel butt-weld pipe fittings from Italy in the **Federal Register**.[1] The period of review covers February 1, 2015, through January 31, 2016.

On February 29, 2016, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b), the Department received a timely request for an administrative review of its sales from Filmag Italia S.p.A., (Filmag), a foreign producer of subject merchandise in this proceeding.[2] Filmag was the only party to request an administrative review. On April 7, 2016, the Department published a notice of initiation of the review in the **Federal Register**.[3]

Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if a party that requested a review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. Filmag, the sole requesting party in this review, timely withdrew its review request on June 30, 2016.[4] Therefore, in response to the timely withdrawal of the review request, the Department is rescinding the administrative review of the antidumping duty order on stainless steel butt-weld pipe fittings from Italy for the period February 1, 2015, through January 31, 2016, in its entirety.

[1] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review,* 81 FR 5712 (February 3, 2016).

[2] *See* Letter from Filmag to the Department, dated February 29, 2016.

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 81 FR 20324 (April 7, 2016).

[4] *See* Letter from Filmag to the Department, dated June 30, 2016.

Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries of stainless steel butt-weld pipe fittings from Italy. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions directly to CBP 15 days after the date of publication of this notice in the **Federal Register**.

Notification to Importers

This notice serves as the only reminder to importers of their responsibility, under 19 CFR 351.402(f)(2), to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement may result in the presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Order

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This notice is published in accordance with section 751 of the Act and 19 CFR 351.213(d)(4).

Dated: October 5, 2016.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2016–24646 Filed 10–11–16; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Visiting Committee on Advanced Technology

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of public meeting; correction.

SUMMARY: The National Institute of Standards and Technology (NIST) originally published a document announcing an upcoming meeting of the Visiting Committee on Advanced Technology (VCAT or Committee) on August 23, 2016 (81 FR 57563). The meeting date and times have been updated. The VCAT will now meet in an open session on Tuesday, October 18, 2016 from 8:30 a.m. to 6:00 p.m. Mountain Time. The VCAT is composed of fifteen members appointed by the NIST Director who are eminent in such fields as business, research, new product development, engineering, labor, education, management consulting, environment, and international relations.

DATES: The VCAT will meet on Tuesday, October 18, 2016 from 8:30 a.m. to 6:00 p.m. Mountain Time.

ADDRESSES: The meeting will be held in the Katharine Blodgett Gebbie Laboratory Conference Room, Room 81–1A106, at NIST, 325 Broadway Street, Boulder, Colorado 80305. Please note admittance instructions under the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Serena Martinez, VCAT, NIST, 100 Bureau Drive, Mail Stop 1060, Gaithersburg, Maryland 20899–1060, telephone number 301–975–2661. Mrs. Martinez's email address is *serena.martinez@nist.gov.*

SUPPLEMENTARY INFORMATION:

Authority: 15 U.S.C. 278 and the Federal Advisory Committee Act, as amended, 5 U.S.C. App.

The purpose of this meeting is for the VCAT to review and make recommendations regarding general policy for NIST, its organization, its budget, and its programs within the framework of applicable national policies as set forth by the President and the Congress. The agenda will include an update on major NIST programs and a presentation reviewing safety trends at NIST. There will be presentations and discussion about the evolution of NIST's research and development agenda over the past eight years and how to prioritize NIST's research in the future. The agenda will also include discussions on the adequacy of NIST's research facilities and the importance of a collaborative research environment. The agenda may change to accommodate Committee business. The final agenda will be posted on the NIST Web site at *http://www.nist.gov/director/vcat/agenda.cfm.*

Individuals and representatives of organizations who would like to offer comments and suggestions related to the Committee's affairs are invited to request a place on the agenda.

On Tuesday, October 18, approximately one-half hour in the afternoon will be reserved for public comments and speaking times will be assigned on a first-come, first-serve basis. The amount of time per speaker will be determined by the number of requests received, but is likely to be about 3 minutes each. The exact time for public comments will be included in the final agenda that will be posted on the NIST Web site at *http://www.nist.gov/director/vcat/agenda.cfm.* Questions from the public will not be considered during this period. Speakers who wish to expand upon their oral statements, those who had wished to speak but could not be accommodated on the agenda, and those who were unable to attend in person are invited to submit written statements to VCAT, NIST, 100 Bureau Drive, MS 1060, Gaithersburg, Maryland 20899, via fax at 301–216–0529 or electronically by email to *stephanie.shaw@nist.gov*.

All visitors to the NIST site are required to pre-register to be admitted. Please submit your name, time of arrival, email address and phone number to Serena Martinez by 5:00 p.m. Eastern Time, Tuesday, October 11, 2016. Non-U.S. citizens must submit additional information; please contact Mrs. Martinez. Mrs. Martinez's email address is *serena.martinez@nist.gov* and her phone number is 301–975–2661. For participants attending in person, please note that federal agencies, including NIST, can only accept a state-issued driver's license or identification card for access to federal facilities if such license or identification card is issued by a state that is compliant with the REAL ID Act of 2005 (P.L. 109–13), or by a state that has an extension for REAL ID compliance. NIST currently accepts other forms of federal-issued identification in lieu of a state-issued driver's license. For detailed information please contact Mrs. Martinez at 301–975–2661 or visit: *http://nist.gov/public_affairs/visitor/*.

Kent Rochford,

Associate Director for Laboratory Programs.

[FR Doc. 2016–24543 Filed 10–11–16; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XX37

Endangered and Threatened Species; Notice of Initiation of a 5-Year Review and Notice of Intent To Draft the Recovery Plan for the Distinct Population Segment of North Pacific Ocean Loggerhead Sea Turtle (Caretta caretta)

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

ACTION: Notice of initiation of a 5-year review and notice of intent to draft a recovery plan; request for information.

SUMMARY: NMFS and USFWS announce the initiation of a 5-year review for the distinct population segment (DPS) of North Pacific Ocean loggerhead sea turtle (hereafter referred to as 'North Pacific loggerhead') and our intent to draft the North Pacific loggerhead recovery plan. A 5-year review is a periodic assessment conducted to ensure that the listed species has the appropriate level of protection under the Endangered Species Act of 1973, as amended (ESA). Recovery plans are guides to rebuild and ensure the long-term viability of protected species in the wild. Each document is based on the best scientific and commercial data available at the time of the review/update. Therefore, we are requesting submission of any information on the status of the North Pacific loggerhead that has become available since the 2011 listing.

DATES: Information related to this notice must be received by close of business on December 12, 2016.

ADDRESSES: Submit your comments identified by NOAA–NMFS–2016–0134, by either of the following methods:

- *Federal e-Rulemaking Portal:* Go to *www.regulations.gov/#!docketDetail;D=[NOAA-NMFS-2016-0134],* click the ''Comment Now!'' icon, complete the required fields and enter or attach your comments.
- *Mail:* Submit written comments to Alexis Gutierrez, National Marine

Fisheries Service, Office of Protected Resources, Marine Mammal and Sea Turtle Conservation Division, 1315 East West Highway, Silver Spring, MD 20910.

Instructions: NMFS, may not consider comments if they are sent by any other method, to any other address or individual, or received after the end of the comment period. All comments received are a part of the public record and NMFS will generally post 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 is publicly accessible. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Alexis Gutierrez, Office of Protected Resources, phone, 301–427–8441, email: *Alexis.Gutierrez@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background

Loggerhead sea turtles (*Caretta caretta*) were globally listed as threatened under the ESA (16 U.S.C. 1531 *et seq.*) in 1978. A Recovery Plan for the U.S. Pacific population of Loggerhead Sea Turtles was published in 1998. In 2007, the 5-year review of the loggerhead sea turtle recommended the application of the DPS policy (61 FR 4722; February 7, 1996). On July 16, 2007, NMFS and USFWS received a petition from the Center for Biological Diversity and Turtle Island Restoration Network requesting that loggerhead turtles in the North Pacific Ocean be reclassified as a DPS with endangered status and that critical habitat be designated. On November 16, 2007, NMFS and USFWS received a petition from the Center for Biological Diversity and Oceana requesting that loggerhead turtles in the Northwest Atlantic Ocean be reclassified as a DPS with endangered status and that critical habitat be designated. NMFS and USFWS determined that the July 16, 2007, North Pacific petition and the November 16, 2007, Northwest Atlantic petition both presented substantial information that the petitioned actions may be warranted. The 2009 Status Review identified nine DPSs. In 2011, we published a final rule (76 FR 58868; September 22, 2011) determining nine DPSs for loggerhead sea turtles.

Upon listing a species, section 4(f)(1) of the ESA requires the preparation and implementation of a recovery plan and revision to those plans as necessary. The plan must contain: (1) Objective, measurable criteria which, when met, would result in a determination that the species is no longer threatened or endangered; (2) site-specific management actions necessary to achieve the plan's goals; and (3) estimates of the time required and costs to implement recovery actions. Recovery plans describe actions beneficial to the conservation and recovery of species listed under the ESA, as amended (16 U.S.C. 1531 *et seq.*). The ESA requires the development of recovery plans for each listed species unless such a plan would not promote the conservation of the species. This new recovery plan will focus solely on the North Pacific loggerhead DPS.

In addition, the ESA requires that we conduct a review of listed species at least once every five years. This will be the first 5-year review for the North Pacific loggerhead since the 2011 listing as endangered. On the basis of such reviews under section 4(c)(2)(B), we determine whether any species should be removed from the list (*i.e.,* delisted) or reclassified from endangered to threatened or from threatened to endangered (16 U.S.C. 1533(c)(2)(B)). Delisting a species must be supported by the best scientific and commercial data available and only considered if such data substantiate that the species is neither endangered nor threatened for one or more of the following reasons: (1) The species is considered extinct; (2) the species is considered to be recovered; and/or (3) the original data available when the species was listed, or the interpretation of such data, were in error. Any change in Federal classification would require a separate rulemaking process. The regulations in 50 CFR 424.21 require that we publish a notice in the **Federal Register** announcing those species currently under active review. This notice announces our active review of the North Pacific loggerhead currently listed as endangered (76 FR 58868; September 22, 2011), as well as our intent to prepare a recovery plan.

Background information on the North Pacific loggerhead including the endangered listing is available on the NMFS Office of Protected Species Web site at: *http://www.nmfs.noaa.gov/pr/species/turtles/loggerhead.html.*

Public Solicitation of New Information

To ensure that the 5-year review and recovery plan are complete and based on the best available scientific and commercial information, we are soliciting new information from the public, governmental agencies, Tribes, the scientific community, industry, environmental entities, and any other interested parties concerning the status of the North Pacific loggerhead. The 5-year review and recovery plan will consider the best scientific and commercial data and all new information that has become available since the listing determination. Categories of requested information include: (1) Species biology including, but not limited to, population trends, distribution, abundance, demographics, and genetics; (2) habitat conditions including, but not limited to, amount, distribution, and important features for conservation; (3) status and trends of threats to the species and its habitats; (4) conservation measures that have been implemented that benefit the species, including monitoring data demonstrating effectiveness of such measures; (5) need for additional conservation measures; and (6) other new information, data, or corrections including, but not limited to, taxonomic or nomenclature changes, identification of erroneous information contained in the list of endangered and threatened species, and improved analytical methods for evaluating extinction risk.

If you wish to provide information for this 5-year review and/or the recovery plan, you may submit your information and materials electronically or via mail (see **ADDRESSES** section). We request that all information be accompanied by supporting documentation such as maps, bibliographic references, or reprints of pertinent publications. We also would appreciate the submitter's name, address, and any association, institution, or business that the person represents; however, anonymous submissions will also be accepted.

Upon completion, the draft recovery plan will be available for public review and comment through the publication of **Federal Register** notice.

Authority: 16 U.S.C. 1531 *et seq.*

Dated: October 6, 2016.

Daniel Bess,

Acting Deputy Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2016–24676 Filed 10–11–16; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Secrecy and License To Export

ACTION: Proposed collection; comment request.

SUMMARY: The United States Patent and Trademark Office (USPTO), 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 the extension of a continuing information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before December 12, 2016.

ADDRESSES: You may submit comments by any of the following methods:

- *Email: InformationCollection@uspto.gov.* Include ''0651–0034 comment'' in the subject line of the message.
- *Mail:* Marcie Lovett, Records Management Division Director, Office of the Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Raul Tamayo, Senior Legal Advisor, Office of Patent Legal Administration, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450; by telephone at 571–272–7728; or by email to *Raul.Tamayo@uspto.gov* with ''Paperwork'' in the subject line. Additional information about this collection is also available at *http://www.reginfo.gov* under ''Information Collection Review.''

SUPPLEMENTARY INFORMATION:

I. Abstract

In the interest of national security, patent laws and rules place certain limitations on the disclosure of information contained in patents and patent applications and on the filing of applications for patents in foreign countries.

In particular, whenever the publication or disclosure of an invention by the publication of an application or by the granting of a patent is, in the opinion of the head of an interested Government agency, determined to be detrimental to national security, the Commissioner for Patents at the USPTO must issue a secrecy order and withhold the publication of a patent application and the grant of a patent for such period as the national interest requires. A patent will not be issued on the application, nor will the application be published, as long as the secrecy order is in force. If a secrecy order is applied to an international application, the application will not be forwarded to the International Bureau as long as the secrecy order is in force.

Three types of secrecy orders, each of a different scope, can be issued. The first type, Secrecy Order and Permit for Foreign Filing in Certain Countries, is intended to permit the widest utilization of the technical data in the patent application while still controlling any publication or disclosure that would result in an unlawful exportation. The second type, the Secrecy Order and Permit for Disclosing Classified Information, is to treat classified technical data presented in a patent application in the same manner as any other classified material. The third type of secrecy order is used where the other types of orders do not apply, including orders issued by direction of agencies other than the Department of Defense.

Under the provision of 35 U.S.C. 181, a secrecy order remains in effect for a period of one year from its date of issuance. A secrecy order may be renewed for additional periods of not more than one year upon notice by a government agency that the national interest continues to so require. The applicant is notified of such renewal.

When the USPTO places a secrecy order on a patent application, the rules authorize the applicant to petition the USPTO for permits to allow disclosure, modification, or rescission of the secrecy order, or to obtain a general or group permit. In each of these circumstances, the petition is forwarded to the appropriate defense agency for decision. Also, the Commissioner for Patents at the USPTO may rescind any order upon notification by the heads of the departments and the chief officers of the agencies who caused the order to be issued that the disclosure of the invention is no longer deemed detrimental to the national security.

Unless expressly ordered otherwise, action on the application and prosecution by the applicant will proceed during the time the application is under secrecy order to a specific point as indicated under 37 CFR 5.3. Applications under secrecy order that come to a final rejection must be appealed or otherwise prosecuted to avoid abandonment. Appeals in such cases must be completed by the applicant, but unless specifically indicated by the Commissioner for Patents at the USPTO, will not be set for hearing until the secrecy order is removed.

In addition to the issuance of secrecy orders, the USPTO is required to grant foreign filing licenses to applicants. The filing of a patent application is considered a request for a foreign filing license. However, in some instances an applicant may need a license for filing patent application in foreign countries prior to a filing in the USPTO or sooner than the anticipated licensing of a pending patent application.

To file a patent application in a foreign country, the applicant can petition the USPTO for a foreign filing license either with or without a corresponding United States application. In addition, the applicant can petition to change the scope of a license and, when a patent application is filed through error in a foreign country without the appropriate filing license, an applicant can petition the USPTO for a retroactive license.

This collection includes the information needed by the USPTO to review the various types of petitions regarding secrecy orders and foreign filing licenses. This collection of information is required by 35 U.S.C. 181–188 and administered through 37 CFR 5.1–5.33.

There are no forms associated with this collection of information.

II. Method of Collection

By mail, facsimile or hand carried to the USPTO.

III. Data

OMB Number: 0651–0034.

Form Number(s): None.

Type of Review: Revision of a currently approved collection.

Affected Public: Businesses or other for-profits; not-for-profit institutions.

Estimated Number of Respondents: 2,559 responses per year. The USPTO estimates that approximately 20% (507) of these responses will be from small entities.

Estimated Time per Response: The USPTO estimates that it will take the public from 30 minutes (0.5 hours) to 4 hours to gather the necessary information, prepare the appropriate documents, and submit the information required for this collection.

Estimated Total Annual Respondent Burden Hours: 1,607.5 hours.

Estimated Total Annual Respondent Cost Burden: $659,075.00. The USPTO expects that the information in this collection will be prepared by attorneys at an estimated rate of $410 per hour. Therefore, the USPTO estimates that the respondent cost burden for this collection will be approximately $659,075.00 per year.

Item	Estimated time for response (hours) (a)	Estimated annual responses (b)	Estimated annual burden hours (a) × (b)/60 = (c)	Rate ($/hr)
1. Petition for Rescission of Secrecy Order	3.0	10	30.0	410
2. Petition to Disclose or Modification of Secrecy Order	2.0	15	30.0	410
3. Petition for General and Group Permits	1.0	1	1.0	410
4. Petition for Expedited Handling of License (no corresponding application)	0.5	2,200	1,100.0	410
5. Petition for Expedited Handling of License (corresponding U.S. application)	0.5	250	125.0	410
6. Petition for Changing Scope of License	0.5	3	1.5	410
7. Petition for Retroactive License	4.0	80	320	410
Totals	.....	2,559	1,607.5	.....

Estimated Total Annual (Non-hour) Respondent Cost Burden: $448,267.70.

There are no capital start-up, maintenance, or record keeping costs associated with this information collection. However, this collection does have annual (non-hour) costs in the form of filing fees for the foreign filing petitions and postage costs. No fees are associated with the secrecy order petitions.

The license petitions all charge the 37 CFR 1.17(g) fee, for which small and micro entity discounts recently have been introduced. The USPTO estimates that 20% of the responses in this collection will come from small entities and approximately 10% of the small entity respondents will qualify as micro entities.

Item	Responses (a)	Filing fee ($) (b)	Total non-hour cost burden ($) (a) × (b) = (c)
1. Petition for Rescission of Secrecy Order	10	0.00	0.00
2. Petition to Disclose or Modification of Secrecy Order	15	0.00	0.00
3. Petition for General and Group Permits	1	0.00	0.00
4. Petition for Expedited Handling of License (no corresponding application)	1,716	200.00	343,200.00
4. Petition for Expedited Handling of License (no corresponding application) (small entity)	440	100.00	44,000.00
4. Petition for Expedited Handling of License (no corresponding application) (micro entity)	44	50.00	2,200.00
5. Petition for Expedited Handling of License (corresponding U.S. application)	195	200.00	39,000.00
5. Petition for Expedited Handling of License (corresponding U.S. application) (small entity)	50	100.00	5,000.00
5. Petition for Expedited Handling of License (corresponding U.S. application) (micro entity)	5	50.00	250.00
6. Petition for Changing Scope of License	1	200.00	200.00
6. Petition for Changing Scope of License (small entity)	1	100.00	100.00
6. Petition for Changing Scope of License (micro entity)	1	50.00	50.00
7. Petition for Retroactive License	62	200.00	12,400.00
7. Petition for Retroactive License (small entity)	16	100.00	1,600.00
7. Petition for Retroactive License (micro entity)	2	50.00	100.00
Totals	2,559	.....	448,100.00

The USPTO estimates that 99% of the petitions in this collection are submitted by facsimile or hand carried because of the quick turnaround required. For the 1% of the public that chooses to submit the petitions to the USPTO by mail through the United States Postal Service, the USPTO estimates that the average postage cost for a USPS Priority Mail, flat-rate envelope submission is $6.45, and that 26 submissions will be mailed to the USPTO per year for a total estimated postage cost of $167.70.

Therefore, the USPTO estimates that the total (non-hour) cost burden for this collection in the form of filing fees and postage costs is estimated to be approximately $448,267.70.

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, *e.g.,* the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be summarized or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: October 3, 2016.

Rhonda Foltz,

Director, Office of Information Management Services, OCIO, United States Patent and Trademark Office.

[FR Doc. 2016–24592 Filed 10–11–16; 8:45 am]

BILLING CODE 3510–16–P

BUREAU OF CONSUMER FINANCIAL PROTECTION

Consumer Advisory Board Meeting

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice of public meeting.

SUMMARY: This notice sets forth the announcement of a public meeting of the Consumer Advisory Board (CAB or Board) of the Bureau of Consumer

Financial Protection (CFPB or Bureau). The notice also describes the functions of the Board. Notice of the meeting is permitted by section 9 of the CAB Charter and is intended to notify the public of this meeting.

DATES: The meeting date is Thursday, October 27, 2016, 10:30 a.m. to 4:00 p.m. eastern standard time.

ADDRESSES: The meeting location is the Consumer Financial Protection Bureau, 1275 First Street NE., Washington, DC 20002.

FOR FURTHER INFORMATION CONTACT: Crystal Dully, Outreach and Engagement Associate, 202–435–9588, *CFPB_CABandCouncilsEvents@cfpb.gov,* Consumer Advisory Board and Councils Office, External Affairs, 1275 First Street NE., Washington, DC 20002.

SUPPLEMENTARY INFORMATION:

I. Background

Section 9(d) of the CAB Charter states:

(1) Each meeting of the Board shall be open to public observation, to the extent that a facility is available to accommodate the public, unless the Bureau, in accordance with paragraph (4) of this section, determines that the meeting shall be closed. The Bureau also will make reasonable efforts to make the meetings available to the public through live web streaming. (2) Notice of the time, place and purpose of each meeting, as well as a summary of the proposed agenda, shall be published in the **Federal Register** not more than 45 or less than 15 days prior to the scheduled meeting date. Shorter notice may be given when the Bureau determines that the Board's business so requires; in such event, the public will be given notice at the earliest practicable time. (3) Minutes of meetings, records, reports, studies, and agenda of the Board shall be posted on the Bureau's website (*www.consumerfinance.gov*). (4) The Bureau may close to the public a portion of any meeting, for confidential discussion. If the Bureau closes a meeting or any portion of a meeting, the Bureau will issue, at least annually, a summary of the Board's activities during such closed meetings or portions of meetings.

Section 1014(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (*http://files.consumerfinance.gov/f/201501_cfpb_charter-of-the-consumer-advisory-board.pdf*) (Dodd-Frank Act) provides:

The Director shall establish a Consumer Advisory Board to advise and consult with the Bureau in the exercise of its functions under the Federal consumer financial laws, and to provide information on emerging practices in the consumer financial products or services industry, including regional trends, concerns, and other relevant information.

(a) The purpose of the Board is outlined in section 1014(a) of the Dodd-Frank Act (*http://files.consumerfinance.gov/f/201501_cfpb_charter-of-the-consumer-advisory-board.pdf*), which states that the Board shall ''advise and consult with the Bureau in the exercise of its functions under the Federal consumer financial laws'' and ''provide information on emerging practices in the consumer financial products or services industry, including regional trends, concerns, and other relevant information.'' (b) To carry out the Board's purpose, the scope of its activities shall include providing information, analysis, and recommendations to the Bureau. The Board will generally serve as a vehicle for market intelligence and expertise for the Bureau. Its objectives will include identifying and assessing the impact on consumers and other market participants of new, emerging, and changing products, practices, or services. (c) The Board will also be available to advise and consult with the Director and the Bureau on other matters related to the Bureau's functions under the Dodd-Frank Act.

II. Agenda

The Consumer Advisory Board will discuss student loan servicing issues and trends and themes in debt collection.

Persons who need a reasonable accommodation to participate should contact *CFPB_504Request@cfpb.gov,* 202–435–9EEO, 1–855–233–0362, or 202–435–9742 (TTY) at least ten business days prior to the meeting or event to request assistance. The request must identify the date, time, location, and title of the meeting or event, the nature of the assistance requested, and contact information for the requester. CFPB will strive to provide, but cannot guarantee that accommodation will be provided for late requests.

Individuals who wish to attend the Consumer Advisory Board meeting must RSVP to *cfpb_cabandcouncilsevents@cfpb.gov* by noon, October 26, 2016. Members of the public must RSVP by the due date and must include ''CAB'' in the subject line of the RSVP.

III. Availability

The Board's agenda will be made available to the public on October 12, 2016, via *www.consumerfinance.gov.* Individuals should express in their RSVP if they require a paper copy of the agenda.

A recording and transcript of this meeting will be available after the meeting on the CFPB's website *www.consumerfinance.gov.*

Dated: October 6, 2016.

David Uejio,

Acting Chief of Staff, Bureau of Consumer Financial Protection.

[FR Doc. 2016–24637 Filed 10–11–16; 8:45 am]

BILLING CODE 4810–AM–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Air University Board of Visitors' Air Force Institute of Technology

AGENCY: Department of the Air Force, Air University, Department of Defense.

ACTION: Notice withdrawal.

SUMMARY: The Department of Defense is withdrawing the previously announced **Federal Register** notice concerning a meeting of the Air Force Institution of Technology Subcommittee on October 17 thru 18, 2016, as announced in the **Federal Register** (Volume 81, Number 190) on September 30, 2016. Since the Department of the Air Force was unable to provide sufficient notification of the withdrawal action, the Advisory Committee Management Officer for the Department of Defense waives the 15-calendar day notification requirement pursuant to 41 CFR 102–3.150(b).

DATES: This withdrawal is effective October 5, 2016.

SUPPLEMENTARY INFORMATION: The Department of the Air Force is withdrawing the meeting notice of the Air University Board of Visitors' Air Force Institute of Technology that published Friday, 30 September, 2016 since the Department of the Air Force was unable to provide sufficient notification of the withdrawal action that the meeting is not required to be announced under FACA provisions.

Henry Williams,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2016–24532 Filed 10–11–16; 8:45 am]

BILLING CODE 5001–10–P

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 Department of

the Army Historical Advisory Subcommittee (DAHASC), a subcommittee of the Army Education Advisory Committee. This meeting is open to the public.

DATES: The Department of the Army Historical Advisory Subcommittee will meet from 8:40 a.m. to 3:30 p.m. on November 9, 2016.

ADDRESSES: Department of the Army Historical Advisory Subcommittee, U.S. Army Center of Military History, 102 4th Ave., BLDG.35, Washington, DC 20319–5060.

FOR FURTHER INFORMATION CONTACT: Dr. Nicholas J. Schlosser, the Alternate Designated Federal Officer for the subcommittee, in writing at U.S. Army Center of Military History, 102 4th Ave., BLDG.35, ATTN: AAMH–ZC, Fort McNair, Washington, DC 20319–5060 by email at *nicholas.j.schlosser.civ@mail.mil* or by telephone at (202) 685–2058.

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 review and approve the 2017 Army Historical Program Report.

Proposed Agenda: The committee is chartered to provide independent advice and recommendations to the Secretary of the Army on the educational, doctrinal, and research policies and activities of U.S. Army educational programs. At this meeting the subcommittee will review the 2017 Army Historical Program Report and the conformity of the Army's historical work and methods with professional standards. The subcommittee will also discuss ways to increase cooperation between the historical and military professions in advancing the purpose of the Army Historical Program, and the furtherance of the mission of the U.S. Army Center of Military History to promote the study and use of military history in both civilian and military Schools.

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 seven business days prior to the meeting to Dr. Schlosser, 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 committee meetings will not be permitted to present questions from the floor or speak to any issue under consideration by the committee. Because the meeting of the committee will be held in a Federal Government facility on a military post, security screening is required. A photo ID is required to enter post. Please note that security and gate guards have the right to inspect vehicles and persons seeking to enter and exit the installation. The U.S. Army Center of Military History is fully handicapped accessible. Wheelchair access is available in front at the main entrance of the building. For additional information about public access procedures, contact Dr. Schlosser, the committee'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 committee, in response to the stated agenda of the open meeting or in regard to the committee's mission in general. Written comments or statements should be submitted to Dr. Nicholas J. Schlosser, the committee 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. 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 committee. The Alternate Designated Federal Official will review all timely submitted written comments or statements with the committee Chairperson, and ensure the comments are provided to all members of the committee before the meeting. Written comments or statements received after this date may not be provided to the committee until its next 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 (7) days in advance to the Committee'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 committee Chairperson determine whether the subject matter of each comment is relevant to the Committee'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 (3) 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.

[FR Doc. 2016–24591 Filed 10–11–16; 8:45 am]

BILLING CODE 5001–03–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Innovation Board; Notice of Federal Advisory Committee Meeting

AGENCY: Deputy Chief Management Officer, Department of Defense (DoD).

ACTION: Notice of Federal advisory committee meeting.

SUMMARY: The DoD is publishing this notice to announce a meeting of the Defense Innovation Board (''the Board''). The meeting will be closed to the public.

DATES: Date of the closed meeting: October 17 through 21, 2016.

ADDRESSES: Address of closed meeting, October 17 through 21, 2016: Military installations in the U.S. Central Command (USCENTCOM) Area of Responsibility (AOR).

FOR FURTHER INFORMATION CONTACT: The Board's Designated Federal Officer (DFO) is Roma Laster, Defense Innovation Board, 1155 Defense Pentagon, Room 5B1088A, Washington, DC 20301–1155, *roma.k.laster.civ@mail.mil.* The Board's Executive Director is Joshua Marcuse, Defense Innovation Board, 1155 Defense

Pentagon, Room 3A1078, Washington, DC 20301–1155, *joshua.j.marcuse.civ@mail.mil.*

SUPPLEMENTARY INFORMATION: Due to difficulties beyond the control of the Department of Defense, the Designated Federal Officer was unable to submit the **Federal Register** notice pertaining to the Defense Innovation Board meeting for its scheduled meeting for October 17 through 21, 2016, that ensured compliance with the requirements of 41 CFR 102–3.150(a). Accordingly the Advisory Committee Management Officer for the Department of Defense, waives the 15-calendar day notification requirement pursuant to 41 CFR 102–3.150(b).

This meeting will be held under the provisions of the Federal Advisory Committee Act (FACA) 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 Meeting: During the closed meeting from October 17 through 21, 2016, the Board will receive and discuss classified briefings from senior leaders from USCENTCOM.

Agendas: October 17 through 21, 2016—Closed Meeting: The Board will hold a closed meeting to receive and discuss briefings about USCENTCOM's mission and current threat environment, warfare across domains, information sharing platforms, decision making processes, technical and structural challenges, its culture of experimentation with technologies and equipment, and the current operational tempo and its effect on innovation. All briefings and resulting discussions are classified.

Meeting Accessibility: Pursuant to 5 U.S.C. 552b(c)(1), the DoD has determined that the meeting from October 17 through 21, 2016 shall be closed to the public. The Assistant Deputy Chief Management Officer, in consultation with the Office of the DoD General Counsel, has determined in writing that the Board's meeting will be closed as the discussions will involve classified matters of national security. Such classified material is so inextricably intertwined with the unclassified material that it cannot reasonably be segregated into separate discussions without disclosing matters that are classified SECRET or higher.

Written Comments: Pursuant to section 10(a)(3) of the Federal Advisory Committee Act of 1972 and 41 CFR 102–3.140, the public or interested organizations may submit written comments to the Board about its approved agenda pertaining to this meeting or at any time regarding the Board's mission. Individuals submitting a written statement must submit their statement to the Executive Director at the address listed in the **FOR FURTHER INFORMATION CONTACT** section. Written statements that do not pertain to a scheduled meeting of the Board may be submitted at any time. However, if individual comments pertain to a specific topic being discussed at the planned meeting, then these statements must be received at least five business days prior to the meeting, otherwise, the comments may not be provided to or considered by the Board until a later date. The Executive Director will compile all timely submissions with the Board's Chair and ensure such submissions are provided to Board Members before the meeting.

Dated: October 5, 2016.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2016–24571 Filed 10–11–16; 8:45 am]

BILLING CODE 5001–06–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: 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 meeting will be held from 9:00 a.m. to 5:00 p.m. on Thursday, October 27, 2016. Public registration will begin at 8:45 a.m. For entrance into the meeting, you must meet the necessary requirements for entrance into the Pentagon. For more detailed information, please see the following link: *http://www.pfpa.mil/access.html.*

ADDRESSES: Pentagon Library, Washington Headquarters Services, 1155 Defense Pentagon, Washington, DC 20301–1155. The meeting will be held in Room B2. The Pentagon Library is located in the Pentagon Library and Conference Center (PLC2) across the Corridor 8 bridge.

FOR FURTHER INFORMATION CONTACT: LTC Andrew Lunoff, Office of the Assistant Secretary of Defense (Acquisition), 3090 Defense Pentagon, Washington, DC 20301–3090, email: *andrew.s.lunoff.mil@mail.mil,* phone: 571–256–9004.

SUPPLEMENTARY INFORMATION:

Purpose of the Meeting: 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 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 eighth meeting of the Government-Industry Advisory Panel with a series of meetings planned through December 14, 2016. 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 discussions and deliberations on 10 U.S.C. 2320 and 2321 tension points; (2) Briefing from software related government program manager; (3) Review of update to Congressional law compendium; (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 October 27, 2016 meeting will be available as requested or at the following site: *https://database.faca.gov/committee/meetings.aspx?cid=2561.* 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, this meeting is open to the public. Registration of members of the public who wish to attend the meeting will begin upon publication of this meeting notice and end three business days (October 24) prior to the start of the meeting. All members of the public must contact LTC Lunoff at the phone number or email listed in the **FOR FURTHER INFORMATION CONTACT** section to make arrangements for Pentagon escort, if necessary. Public attendees should arrive at the Pentagon's Visitor's Center, located near the Pentagon Metro Station's south exit and adjacent to the Pentagon Transit Center bus terminal with sufficient time to complete security screening no later than 8:30 a.m. on October 27. To complete security screening, please come prepared to present two forms of identification of which one must be a pictured identification card. Government and military DoD CAC holders are not required to have an escort, but are still required to pass through the Visitor's Center to gain access to the Building. 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 Designated Federal Officer (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 Lunoff, the committee DFO, 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 Lunoff, 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: October 5, 2016.

Patricia L. Toppings,

OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2016–24570 Filed 10–11–16; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Idaho National Laboratory

AGENCY: Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Idaho National Laboratory. The Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770) requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Thursday, October 27, 2016—8:00 a.m.–4:00 p.m.

The opportunity for public comment is at 3:15 p.m.

This time is subject to change; please contact the Federal Coordinator (below) for confirmation of times prior to the meeting.

ADDRESSES: Sun Valley Inn, 1 Sun Valley Road, Sun Valley, ID 83353.

FOR FURTHER INFORMATION CONTACT: Robert L. Pence, Federal Coordinator, Department of Energy, Idaho Operations Office, 1955 Fremont Avenue, MS–1203, Idaho Falls, Idaho 83415. Phone (208) 526–6518; Fax (208) 526–8789 or email: *pencerl@id.doe.gov* or visit the Board's Internet home page at: *http://inlcab.energy.gov/.*

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to make recommendations to DOE–EM and site management in the areas of environmental restoration, waste management, and related activities.

Tentative Topics (agenda topics may change up to the day of the meeting; please contact Robert L. Pence for the most current agenda):

- Recent Public Outreach
- Idaho Cleanup Project (ICP) Overview
- Update on Integrated Waste Treatment Unit (IWTU)
- Update on Waste Isolation Pilot Plant (WIPP)
- Idaho Attorney General Lawrence Wasden Presentation
- Expended Core Facility (ECF) Recapitalization Environmental Impact Statement
- Groundwater Update
- DOE Updated Path Forward
- EM SSAB Chairs Meeting Report and Transition White Paper Discussion

Public Participation: The EM SSAB, Idaho National Laboratory, welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or

special needs. If you require special accommodations due to a disability, please contact Robert L. Pence at least seven days in advance of the meeting at the phone number listed above. Written statements may be filed with the Board either before or after the meeting. Individuals who wish to make oral presentations pertaining to agenda items should contact Robert L. Pence at the address or telephone number listed above. The request must be received five days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Deputy Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Individuals wishing to make public comments will be provided a maximum of five minutes to present their comments.

Minutes: Minutes will be available by writing or calling Robert L. Pence, Federal Coordinator, at the address and phone number listed above. Minutes will also be available at the following Web site: *http://inlcab.energy.gov/pages/meetings.php.*

Issued at Washington, DC, on October 5, 2016.

LaTanya R. Butler,

Deputy Committee Management Officer.

[FR Doc. 2016–24539 Filed 10–11–16; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

State Energy Advisory Board (STEAB)

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Notice of open teleconference.

SUMMARY: This notice announces a teleconference call of the State Energy Advisory Board (STEAB). The Federal Advisory Committee Act (Pub. L. 92–463; 86 Stat.770) requires that public notice of these meetings be announced in the **Federal Register**.

DATES: Thursday, November 17, 2016 from 3:30 p.m. to 4:30 p.m. (EDT). To receive the call-in number and passcode, please contact the Board's Designated Federal Officer at the address or phone number listed below.

FOR FURTHER INFORMATION CONTACT: Michael Li, Policy Advisor, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, 1000 Independence Ave. SW., Washington, DC 20585. Phone number 202–287–5718, and email *michael.li@ee.doe.gov.*

SUPPLEMENTARY INFORMATION:

Purpose of the Board: To make recommendations to the Assistant Secretary for the Office of Energy Efficiency and Renewable Energy regarding goals and objectives, programmatic and administrative policies, and to otherwise carry out the Board's responsibilities as designated in the State Energy Efficiency Programs Improvement Act of 1990 (Pub. L. 101–440).

Tentative Agenda: Receive STEAB Task Force updates on action items and revised objectives for FY 2017, discuss follow-up opportunities and engagement with EERE and other DOE staff as needed to keep Task Force work moving forward, continue engagement with DOE, EERE and EPSA staff regarding energy efficiency and renewable energy projects and initiatives, and receive updates on member activities within their states; Follow-up from October meeting.

Public Participation: The meeting is open to the public. Written statements may be filed with the Board either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact Michael Li at the address or telephone number listed above. Requests to make oral comments must be received five days prior to the meeting; reasonable provision will be made to include requested topic(s) on the agenda. The Chair of the Board is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Minutes: The minutes of the meeting will be available for public review and copying within 60 days on the STEAB Web site at: *http://www.energy.gov/eere/steab/state-energy-advisory-board.*

Issued at Washington, DC, on October 5, 2016.

LaTanya R. Butler,

Deputy Committee Management Officer.

[FR Doc. 2016–24540 Filed 10–11–16; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC17–1–000]

Commission Information Collection Activities; Comment Request for Generic Clearance for the Collection of Qualitative Feedback on Commission Service Delivery

AGENCY: Federal Energy Regulatory Commission, Department of Energy.

ACTION: Notice of information collection and request for comments.

SUMMARY: As part of a Federal Government-wide effort to streamline the process to seek feedback from the public on service delivery, the Federal Energy Regulatory Commission (the Commission or FERC) is coordinating the development of the following proposed Generic Information Collection Request (ICR): FERC–153, ''Generic Clearance for the Collection of Qualitative Feedback on Commission Service Delivery'' for approval under the Paperwork Reduction Act (PRA).[1] This notice announces that FERC intends to submit this collection to OMB for approval and solicits comments on specific aspects for the proposed information collection. Following review of public comments received in regard to this 60-day notice, FERC will issue a 30-day notice to solicit additional public comments and will submit a Generic ICR to OMB for review.[2]

DATES: Comments on the collection of information are due December 12, 2016.

ADDRESSES: You may submit comments (identified by Docket No. IC17–1–000) by either of the following methods:

- *eFiling at Commission's Web site: http://www.ferc.gov/docs-filing/efiling.asp.*
- *Mail/Hand Delivery/Courier:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: *http://www.ferc.gov/help/submission-guide.asp.* For user assistance contact FERC Online Support by email at *ferconlinesupport@ferc.gov,* or by phone at: (866) 208–3676 (toll-free), or (202) 502–8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this

[1] 44 U.S.C. 3501 *et seq.*

[2] FERC also participated in the initial 60-day notice to establish eligibility for the Generic Clearance process (75 FR 80542, 12/22/2010).

docket or in viewing/downloading comments and issuances in this docket may do so at *http://www.ferc.gov/docs-filing/docs-filing.asp.*

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email at *DataClearance@FERC.gov,* telephone at (202) 502–8663, and fax at (202) 273–0873.

SUPPLEMENTARY INFORMATION:

Title: FERC–153, Generic Clearance for the Collection of Qualitative Feedback on Commission Service Delivery.

OMB Control No.: To be determined.

Type of Request: New generic information collection.

Abstract: The proposed information collection provides a means to garner qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with the Administration's commitment to improving service delivery. By qualitative feedback, we mean data that provides useful insights on perceptions and opinions, but are not statistical surveys that yield quantitative results that can be generalized to the population of study. This feedback will provide insights into customer or stakeholder perceptions, experiences, and expectations, provide an early warning of issues with service, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services. This collection will allow for ongoing, collaborative and actionable communications between FERC and its customers and stakeholders. It will also allow feedback to contribute directly to the improvement of program management. The solicitation of feedback will target areas such as: Timeliness, appropriateness, accuracy of information, courtesy, efficiency of service delivery, and resolution of issues with service delivery. Responses will be assessed to plan and inform efforts to improve or maintain the quality of service offered to the public. If this information is not collected, vital feedback from customers and stakeholders on the Commission's services will be unavailable.

The Commission will only submit a collection for approval under this generic clearance if it meets the following conditions:

- The collections are voluntary;
- The collections are low-burden for respondents (based on considerations of total burden hours, total number of respondents, or burden hours per respondent) and are low-cost for both the respondents and the Federal Government;
- The collections are non-controversial and do not raise issues of concern to other Federal agencies;
- The collection is targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the near future;
- Personally identifiable information (PII) is collected only to the extent necessary and is not retained;
- Information gathered is intended to be used only internally for general service improvement and program management purposes and is not intended for release outside of the Commission (if released, the Commission must indicate the qualitative nature of the information);
- Information gathered will not be used for the purpose of substantially informing influential policy decisions; and
- Information gathered will yield qualitative information; the collections will not be designed or expected to yield statistically reliable results or used as though the results are generalizable to the population of study.

Feedback collected under this generic clearance provides useful information, but it does not yield data that can be generalized to the overall population. This type of generic clearance for qualitative information will not be used for quantitative information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: The target population to which generalizations will be made, the sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential non-response bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior to fielding the study.

As a general matter, this information collection will not result in any new system of records containing privacy information and will not ask questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

This information collection is subject to the PRA. The Commission generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information which does not display a valid OMB Control Number. See 5 CFR 1320. OMB authorization for an information collection cannot be for more than three years without renewal.

Type of Respondents/Affected Public: Individuals and households; Businesses or other for-profit and not-for-profit organizations; State, Local, or Tribal government.

Estimate of Annual Burden: [3] The Commission estimates the annual public reporting burden and cost for the information collection as:

ESTIMATED ANNUAL BURDEN FOR GENERIC CLEARANCE

	Number of respondents	Number of responses per respondent	Total number of responses	Average burden minutes per response	Total burden hours
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)
Generic Clearance	15,000	1	15,000	6	[4] 1,500

[3] Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, refer to 5 Code of Federal Regulations 1320.3.

[4] 1,500 hours = 90,000 minutes.

Comments: Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimate of the burden of the 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.

Dated: October 5, 2016.

Kimberly D. Bose,

Secretary.

[FR Doc. 2016–24600 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER16–2703–000]

Deerfield Wind Energy, 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 Deerfield Wind Energy, 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 24, 2016.

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: October 4, 2016.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2016–24551 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2514–168]

Appalachian Power Company; Notice of Application Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Application for temporary variance of normal reservoir elevation requirement.

b. *Project No.:* P–2514–168.

c. *Date Filed:* August 18, 2016.

d. *Applicant:* Appalachian Power Company.

e. *Name of Project:* Byllesby and Buck Hydroelectric Project.

f. *Location:* The project is located on the New River in Carroll County, Virginia.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Ms. Elizabeth B. Parcell, Process Supervisor Senior, 40 Franklin Rd. SW., P.O. Box 2021, Roanoke, VA (540) 985–2441.

i. *FERC Contact:* Mr. Steven Sachs, (202) 502–8666, or *steven.sachs@ferc.gov*.

j. Deadline for filing comments, motions to intervene, protests, and recommendations is 30 days from the date of issuance of this notice. The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, or recommendations 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 at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. Please include the project number (P–2514–168) on any comments, motions to intervene, protests, or recommendations filed.

k. *Description of Request:* The applicant is requesting a temporary variance of its reservoir elevation requirement at the Byllesby development to install crest gates on the dam. The applicant drew down the reservoir by approximately 9 feet on July 22, 2016, and expects to refill the reservoir to its normal elevation in late October 2016. The applicant has closed the canoe portage and boat ramp at the Byllesby reservoir.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 502–8371. This filing may also be viewed on the Commission's Web site at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://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, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. A copy is also available for inspection and

reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions To Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading, the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to project works which are the subject of the license amendment. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: September 28, 2016.

Kimberly D. Bose,

Secretary.

[FR Doc. 2016–24612 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL16–120–000]

New England Power Generators Association, Inc. v. ISO New England Inc.; Notice of Complaint

Take notice that on September 30, 2016, pursuant to section 206 of the Federal Power Act, 16 U.S.C. 824e and Rule 206 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.206, New England Power Generators Association, Inc. (Complainant) filed a formal complaint against ISO New England Inc. (Respondent or ISO–NE) alleging that ISO–NE's Transmission, Markets, and Services Tariff governing the Peak Energy Rent Adjustment are unjust and unreasonable, all as more fully explained in the complaint.

Complainant certifies that copies of the complaint were served on the contacts for ISO–NE as listed on the Commission's list of Corporate Officials.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov*, using the ''eLibrary'' link and is available for 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.

Comment Date: 5:00 p.m. Eastern Time on October 20, 2016.

Dated: October 3, 2016.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2016–24549 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 553–228]

Seattle City Light; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. Application Type: Application to Dredge Cobble Bar in Project Tailrace.

b. Project No: 553–228.

c. Date Filed: May 27, 2016.

d. Applicant: Seattle City Light.

e. Name of Project: Skagit River Hydroelectric Project.

f. Location: The project is located on the Skagit River in Snohomish, Skagit, and Whatcom counties, Washington. The project occupies Federal lands.

g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791a–825r.

h. Applicant Contact: Colleen McShane, Manager, Natural Resources and Environmental Permitting, Seattle City Light, 700 5th Ave., Suite 3200, P.O. Box 34023, Seattle, WA 98124–4023, (206) 684–4238, *Colleen.McShane@seattle.gov*.

i. FERC Contact: Kurt Powers, (202) 502–8949, *kurt.powers@ferc.gov*.

j. Deadline for filing comments, motions to intervene, and protests: November 4, 2016.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests 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 at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). 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–553–228.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. Description of Request: The Skagit River Hydroelectric Project consists of Gorge, Diablo, and Ross Dams and their associated reservoirs, structures, and facilities. Seattle City Light proposes to remove approximately 18,000 cubic yards of a 2.2-acre cobble bar located at the upper end of Gorge Lake, at the confluence of the Skagit River and Stetattle Creek in Whatcom County, Washington, to restore power generating capacity to the Diablo Powerhouse and to provide maintenance access to the turbine scroll cases. Seattle City Light estimates that an additional 8,700 megawatt-hours per year could be generated if the cobble bar was removed. The proposed excavation site is located within the Ross Lake National Recreation Area which is administered by the National Park Service. The Recreation Area is surrounded by lands of the North Cascades National Park and the Mount Baker-Snoqualmie, Okanogan, and Wenatchee National Forests.

l. Locations of the Application: A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 502–8371. This filing may also be viewed on the Commission's Web site at *http://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. You may also register online at *http://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, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above. Agencies may obtain copies of the application directly from the applicant.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Documents: Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Dated: October 5, 2016.

Kimberly D. Bose,

Secretary.

[FR Doc. 2016–24601 Filed 10–11–16; 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 corporate filings:

Docket Numbers: EC16–195–000.

Applicants: Paulding Wind Farm III LLC.

Description: Application for Authorization for Disposition of Jurisdictional Facilities of Paulding Wind Farm III LLC.

Filed Date: 9/30/16.

Accession Number: 20160930–5350.

Comments Due: 5 p.m. ET 10/21/16.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–2249–005.

Applicants: Portland General Electric Company.

Description: Supplement to June 30, 2016 Triennial Market Power Analysis in the Northwest Region for Portland General Electric Company.

Filed Date: 9/30/16.

Accession Number: 20160930–5355.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER10–2390–001; ER10–2389–003.

Applicants: Bicent (California) Malburg LLC, San Joaquin Cogen, LLC.

Description: Notice of Non-Material Change in Status of Bicent (California) Malburg LLC, et al.

Filed Date: 9/30/16.

Accession Number: 20160930–5362

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER12–2499–015; ER10–1290–008; ER10–3026–007; ER11–3987–010; ER11–4055–007; ER12–1470–007; ER12–1566–009; ER12–2498–015; ER13–764–015; ER14–1548–008; ER14–1775–005; ER14–474–007; ER16–1833–001.

Applicants: Alpaugh North, LLC, Alpaugh 50, LLC, CED White River Solar, LLC, Copper Mountain Solar 1, LLC, Copper Mountain Solar 2, LLC, Copper Mountain Solar 3, LLC, Energia Sierra Juarez U.S., LLC, Mesquite Solar 1, LLC, Sempra Generation, LLC, Sempra Gas & Power Marketing, LLC, SEP II, LLC, Termoelectrica U.S., LLC, San Diego Gas & Electric Company.

Description: Notice of Non-Material Change in Status of Alpaugh North, LLC, et al.

Filed Date: 9/30/16.

Accession Number: 20160930–5346.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER13–1508–002.

Applicants: Entergy Louisiana, LLC, Entergy New Orleans, Inc.

Description: Informational Compliance Filing of Amended Power Purchase Agreement [Pro Forma Sheets] of Entergy Louisiana, LLC, et al.

Filed Date: 9/30/16.

Accession Number: 20160930–5353.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER15–1510–002.

Applicants: FirstEnergy Solutions Corp.

Description: Amended Settlement Agreement of FirstEnergy Solutions Corp.

Filed Date: 9/27/16.

Accession Number: 20160927–5172.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER16–1251–001.

Applicants: Entergy Louisiana, LLC.

Description: Compliance filing: ELL MSS–4 Replacement Agreements—Compliance to be effective 9/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5276.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER16–2726–000.

Applicants: Maine Yankee Atomic Power Company.

Description: § 205(d) Rate Filing: Maine Yankee Application to Update Decommissioning Estimate to be effective 12/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5271.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER16–2727–000.

Applicants: KCP&L Greater Missouri Operations Company.

Description: § 205(d) Rate Filing: Rate Schedule 138 to be effective 11/29/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5272.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER16–2728–000.

Applicants: EWO Marketing, LLC.

Description: § 205(d) Rate Filing: EWOM–SRMPA Price Adjustment Agreement to be effective 10/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5275.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER16–2729–000.

Applicants: Duke Energy Progress, LLC.

Description: § 205(d) Rate Filing: DEP Harris—Recovery of Abandoned Nuclear Plant Costs to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5277.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER16–2730–000.

Applicants: LSC Communications US, LLC.

Description: Baseline eTariff Filing: LSCC MBRA Application to be effective 10/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5279.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER16–2731–000.

Applicants: Maricopa West Solar PV, LLC.

Description: Compliance filing: Amendment to MBR Tariff to be effective 11/29/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5280.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER16–2732–000.

Applicants: Holtwood, LLC.

Description: Tariff Cancellation: Notice of Cancellation of Market-Based Rate Tariff to be effective 10/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5282.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER16–2733–000.

Applicants: Yankee Atomic Electric Company.

Description: § 205(d) Rate Filing: Yankee Atomic Application to Update Decommissioning Estimate to be effective 12/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5284.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER16–2734–000.

Applicants: Southwest Power Pool, Inc.

Description: Southwest Power Pool, Inc.'s Informational Filing to Notify the Commission of Implementation of Year-Five Reallocation of Revenue Requirements Pursuant to Attachments J and O for the Balanced Portfolio.

Filed Date: 9/30/16.

Accession Number: 20160930–5358.

Comments Due: 5 p.m. ET 10/21/16.

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: October 3, 2016.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2016–24545 Filed 10–11–16; 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 corporate filings:

Docket Numbers: EC17–1–000.

Applicants: Entergy Mississippi, Inc.

Description: Application of Entergy Mississippi, Inc. under Section 203 of the Federal Power Act for approval of transaction.

Filed Date: 10/3/16.

Accession Number: 20161003–5394.

Comments Due: 5 p.m. ET 10/24/16.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–3193–009; ER10–2480–008; ER10–2538–007; ER10–2615–010; ER10–2718–025; ER10–2719–024; ER10–2924–009; ER10–2934–008; ER10–2950–008; ER10–2959–009; ER10–2961–009; ER11–2041–010; ER11–2042–010; ER11–2335–011; ER13–821–010; ER14–2498–004; ER14–2500–004; ER16–2462–002; ER16–711–003.

Applicants: Brooklyn Navy Yard Cogeneration Partners, L.P., Seneca Energy II, LLC, Innovative Energy Systems, LLC, Kleen Energy Systems, LLC, Berkshire Power Company, LLC, Cogen Technologies Linden Venture, L.P., East Coast Power Linden Holding, L.L.C., Chambers Cogeneration, Limited Partnership, Edgecombe Genco, LLC, Logan Generating Company, LP, Scrubgrass Generating Company, L.P., Spruance Genco, LLC, Newark Energy Center, LLC, EIF Newark, LLC, Plum Point Energy Associates, LLC, Plum Point Services Company, LLC, Panoche Energy Center, LLC, Pio Pico Energy Center, LLC, Oregon Clean Energy, LLC.

Description: Notice of Non-Material Change in Status of the Ares EIF Notice Parties.

Filed Date: 9/30/16.

Accession Number: 20160930–5392.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER16–2101–001.

Applicants: Entegra Power Services LLC.

Description: Market-Based Triennial Review Filing: Entegra Power Services LLC Updated MBR Tariff—Refiled Tariff to be effective 10/3/2016.

Filed Date: 10/3/16.

Accession Number: 20161003–5287.

Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER16–2511–001.

Applicants: Stanford University Power LLC.

Description: Tariff Amendment: Supplemental Filing for Stanford

University MBR Tariff to be effective 9/29/2016.

Filed Date: 10/3/16.

Accession Number: 20161003–5302.

Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER16–2735–000.

Applicants: Frontera Generation Limited Partnership, AEP Texas Central Company.

Description: Notice of Cancellation of Interconnection Agreement, Rate Schedule No. 98 of AEP Texas Central Company.

Filed Date: 9/30/16.

Accession Number: 20160930–5388.

Comments Due: 5 p.m. ET 10/21/16.

Docket Numbers: ER17–10–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 3206 WAPA–UGP and Northern States Power Company Att AO to be effective 9/1/2016.

Filed Date: 10/3/16.

Accession Number: 20161003–5289.

Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER17–11–000.

Applicants: Interstate Power and Light Company.

Description: § 205(d) Rate Filing: IPL–SMEC Agr I to be effective 7/31/2015.

Filed Date: 10/4/16.

Accession Number: 20161004–5023.

Comments Due: 5 p.m. ET 10/25/16.

Docket Numbers: ER17–12–000.

Applicants: Interstate Power and Light Company.

Description: § 205(d) Rate Filing: IPL–SMEC Agr II to be effective 8/1/2016.

Filed Date: 10/4/16.

Accession Number: 20161004–5024.

Comments Due: 5 p.m. ET 10/25/16.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES17–1–000.

Applicants: Kansas City Power & Light Company.

Description: Application for Authorization of Issuance of Short-Term Debt Securities Under Section 204 of the Federal Power Act of Kansas City Power & Light Company.

Filed Date: 10/3/16.

Accession Number: 20161003–5396.

Comments Due: 5 p.m. ET 10/24/16.

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: October 4, 2016.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2016–24547 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. EL17–1–000; QF90–143–008]

Yuma Cogeneration Associates; Notice of Petition for Waiver

Take notice that on October 4, 2016, pursuant to section 292.205(c) of the Federal Energy Regulatory Commission's (Commission) Rules and Regulations, Yuma Cogeneration Associates filed a petition for limited waiver of the efficiency standard in section 292.205(a)(2) of the Commission's regulations for a topping-cycle cogeneration qualifying facility for calendar year 2015, all as more fully explained in the petition.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Petitioner.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov,* using the ''eLibrary'' link and is available for 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.

Comments: 5:00 p.m. Eastern Time on October 25, 2016.

Dated: October 5, 2016.

Kimberly D. Bose,

Secretary.

[FR Doc. 2016–24599 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER17–3–000]

ESS Lewes Project, 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 ESS Lewes Project, 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 24, 2016.

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: October 4, 2016.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2016–24554 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL16–118–000]

GenOn Energy Management, LLC; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On October 4, 2016, the Commission issued an order in Docket No. EL16–118–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2012), instituting an investigation into the justness and reasonableness of GenOn Energy Management, LLC's Reactive Service rate. *GenOn Energy Management, LLC,* 157 FERC ¶ 61, 007 (2016).

The refund effective date in Docket No. EL16–118–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL16–118–000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214 (2016), within 21 days of the date of issuance of the order.

Dated: October 5, 2016.

Kimberly D. Bose,

Secretary.

[FR Doc. 2016–24605 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP16–1259–000.

Applicants: Northern Natural Gas Company.

Description: § 4(d) Rate Filing: 20160929 Remove Non-Conforming Contracts to be effective 11/1/2016.

Filed Date: 9/29/16.

Accession Number: 20160929–5060.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1260–000.

Applicants: El Paso Natural Gas Company, L.L.C.

Description: § 4(d) Rate Filing: Negotiated Rate Agreement Update (APS Oct 2016) to be effective 10/1/2016.

Filed Date: 9/29/16.

Accession Number: 20160929–5065.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1261–000.

Applicants: Texas Eastern Transmission, LP.

Description: Compliance filing Gulf Markets 11–1–2016 In-Service CP15–90 Compliance Filing to be effective 11/1/2016.

Filed Date: 9/29/16.

Accession Number: 20160929–5075.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1262–000.

Applicants: Natural Gas Pipeline Company of America.

Description: § 4(d) Rate Filing: Oklahoma Natural Gas Negotiated Rate to be effective 10/1/2016.

Filed Date: 9/29/16.

Accession Number: 20160929–5129.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1263–000.

Applicants: Natural Gas Pipeline Company of America.

Description: § 4(d) Rate Filing: Navitas Utility Negotiated Rate to be effective 10/1/2016.

Filed Date: 9/29/16.

Accession Number: 20160929–5130.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1264–000.

Applicants: Equitrans, L.P.

Description: § 4(d) Rate Filing: Expired Negotiated Rate Agreement to be effective 10/1/2016.

Filed Date: 9/29/16.

Accession Number: 20160929–5147.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1265–000.

Applicants: Transcontinental Gas Pipe Line Company,

Description: § 4(d) Rate Filing: Negotiated Rates—Cherokee AGL—Replacement Shippers—Oct 2016 to be effective 10/1/2016.

Filed Date: 9/29/16.

Accession Number: 20160929–5149.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1266–000.

Applicants: Dauphin Island Gathering Partners.

Description: § 4(d) Rate Filing: Negotiated Rate Filing 9–29–16 to be effective 10/1/2016.

Filed Date: 9/29/16.

Accession Number: 20160929–5161.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1267–000.

Applicants: Alliance Pipeline L.P.

Description: § 4(d) Rate Filing: Delphi to Tidal Permanent Assignment to be effective 10/1/2016.

Filed Date: 9/29/16.

Accession Number: 20160929–5165.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1268–000

Applicants: Texas Eastern Transmission, LP.

Description: Compliance filing TETLP OFO 2016 Penalty Disbursement Report.

Filed Date: 9/29/16.

Accession Number: 20160929–5168.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1269–000.

Applicants: Algonquin Gas Transmission, LLC.

Description: Compliance filing AGT 2016 OFO Penalty Disbursement Report.

Filed Date: 9/29/16.

Accession Number: 20160929–5173.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1270–000.

Applicants: ANR Pipeline Company.

Description: § 4(d) Rate Filing: Nicor Gas Non-conforming Agreement to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5004.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1271–000.

Applicants: Trunkline Gas Company, LLC.

Description: § 4(d) Rate Filing: Fuel Filing on 9–30–16 to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5006.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1272–000.

Applicants: Southwest Gas Storage Company.

Description: § 4(d) Rate Filing: Fuel Filing on 9–30–16 to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5007.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1273–000.

Applicants: Gulf South Pipeline Company, LP.

Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmts (Atlanta 8438 to various eff 10–1–16) to be effective 10/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5011.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1274–000.

Applicants: Gulf South Pipeline Company, LP.

Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmts (Encana 37663 to Texla 47182) to be effective 10/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5013.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1275–000.

Applicants: Gulf South Pipeline Company, LP.

Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmt (PH 41455 to Texla 47183) to be effective 10/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5015.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1276–000.

Applicants: Cheniere Creole Trail Pipeline, L.P.

Description: § 4(d) Rate Filing: Nov 2016 Fuel Retainage Filing to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5031.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1277–000.

Applicants: Dominion Carolina Gas Transmission, LLC.

Description: § 4(d) Rate Filing: DCGT—Columbia to Eastover Project (CP15–504) Transport. Service and Neg. Rate to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5035.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1278–000.

Applicants: Texas Eastern Transmission, LP.

Description: § 4(d) Rate Filing: Negotiated Rates—Peoples TWP Contract 911299 to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5037.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1279–000.

Applicants: Columbia Gulf Transmission, LLC.

Description: § 4(d) Rate Filing: Negotiated Rate Service Agmt—Kaiser Amendment to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5052.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1280–000.

Applicants: Young Gas Storage Company, Ltd.

Description: Annual Operational Purchases and Sales Report of Young Gas Storage Company, Ltd. under RP16–1280.

Filed Date: 9/29/16.

Accession Number: 20160929–5204.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1281–000.

Applicants: Dominion Transmission, Inc.

Description: § 4(d) Rate Filing: DTI—Lebanon West II Project (CP14–555) Transportation Service Implementation to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5060.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1282–000

Applicants: Panhandle Eastern Pipe Line Company, LP.

Description: § 4(d) Rate Filing: Fuel Filing on 9–30–16 to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5063.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1283–000.

Applicants: Columbia Gas Transmission, LLC.

Description: § 4(d) Rate Filing: Out-of-Cycle RAM 2016 to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5065.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1284–000.

Applicants: Columbia Gulf Transmission, LLC.

Description: § 4(d) Rate Filing: Negotiated Rate Amendment—Texla to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5066.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1285–000.

Applicants: Dominion Carolina Gas Transmission, LLC.

Description: § 4(d) Rate Filing: DCGT—2016 FRQ & TDA Report to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5069.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1286–000.

Applicants: Dominion Transmission, Inc.

Description: § 4(d) Rate Filing: DTI—Clarington Project (CP14–496) Transportation Service & Negotiated Rate to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5081.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1287–000.

Applicants: Maritimes & Northeast Pipeline, L.L.C.

Description: Compliance filing MNUS FRQ 2016 Filing.

Filed Date: 9/30/16.

Accession Number: 20160930–5095.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1288–000.

Applicants: Texas Gas Transmission, LLC.

Description: § 4(d) Rate Filing: 2016 Fuel Tracker Filing to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5121.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1289–000.

Applicants: Natural Gas Pipeline Company of America.

Description: § 4(d) Rate Filing: Antero Resources, North Shore and Occidental Energy Negotiated Rate to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5127.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1290–000.

Applicants: Wyoming Interstate Company, L.L.C.

Description: Annual Operational Purchases and Sales Report of Wyoming Interstate Company, L.L.C.

Filed Date: 9/29/16.

Accession Number: 20160929–5217.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1291–000.

Applicants: Enable Mississippi River Transmission, L.

Description: 2016 Annual Penalty Revenue Credit Filing of Enable Mississippi River Transmission, LLC.

Filed Date: 9/29/16.

Accession Number: 20160929–5222.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1292–000.

Applicants: Guardian Pipeline, L.L.C.

Description: § 4(d) Rate Filing: EPCR Semi-Annual Adjustment—Fall 2016 to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5158.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1293–000.

Applicants: Rockies Express Pipeline LLC.

Description: § 4(d) Rate Filing: Neg Rate 2016–09–30 CP to be effective 10/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5166.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1294–000.

Applicants: Guardian Pipeline, L.L.C.

Description: § 4(d) Rate Filing: Transporter's Use Gas Annual Adjustment—Fall 2016 to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5194.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1295–000.

Applicants: Gulf South Pipeline Company, LP.

Description: § 4(d) Rate Filing: Neg Rate Agmt and Cap Rel Agmt (Colorado Bend 46260) to be effective 10/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5195.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1296–000.

Applicants: Viking Gas Transmission Company.

Description: § 4(d) Rate Filing: Semi-Annual FLRP—Fall 2016 to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5201.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1297–000.

Applicants: Natural Gas Pipeline Company of America.

Description: § 4(d) Rate Filing: Chicago Market Expansion to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5205.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1298–000.

Applicants: Dominion Transmission, Inc.

Description: § 4(d) Rate Filing: DTI—2016 Annual EPCA to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5210.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1299–000.

Applicants: Kinetica Energy Express, LLC.

Description: § 4(d) Rate Filing: Tariff Revision Filing to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5242.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1300–000.

Applicants: Kern River Gas Transmission Company.

Description: § 4(d) Rate Filing: 2016 October Negotiated Rate Agreements to be effective 10/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5250.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1301–000.

Applicants: Rockies Express Pipeline LLC.

Description: § 4(d) Rate Filing: Interim FL&U Electric Power Periodic Rate Adjustment to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5257.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1302–000.

Applicants: Algonquin Gas Transmission, LLC.

Description: Compliance filing Salem Lateral—In Service Compliance Filing CP14–522–000 to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5267.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1303–000.

Applicants: Dominion Transmission, Inc.

Description: § 4(d) Rate Filing: DTI—2016 Annual TCRA to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5278.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1304–000.

Applicants: Alliance Pipeline L.P.

Description: § 4(d) Rate Filing: November 1 2016 Negotiated Rate Contracts to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5281.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1305–000.

Applicants: Natural Gas Pipeline Company of America.

Description: § 4(d) Rate Filing: Rice Energy Marketing Negotiated Rate to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5283.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1306–000

Applicants: Tennessee Gas Pipeline Company, L.L.C.

Description: § 4(d) Rate Filing: Volume No. 2—Neg. Rate Agrmt—MEX Gas Supply, S.L SP301591 to be effective 10/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5285.

Comments Due: 5 p.m. ET 10/12/16.

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.

Filings in Existing Proceedings

Docket Numbers: RP13–606–002.

Applicants: Columbia Gas Transmission, LLC.

Description: Compliance filing Chesapeake LNG True-Up to be effective 11/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5064.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: RP16–1162–001.

Applicants: Gulf Crossing Pipeline Company LLC.

Description: Compliance filing Compliance Filing in Docket No. RP16–1162–000 to be effective 9/1/2016.

Filed Date: 9/30/16.

Accession Number: 20160930–5008.

Comments Due: 5 p.m. ET 10/12/16.

Any person desiring to protest in any of the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

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: October 3, 2016.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2016–24556 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER16–2590–001.

Applicants: Midcontinent Independent System Operator, Inc.

Description: Tariff Amendment: 2016–10–04_Errata to filing to revise Coordination Agr between MISO and IESO to be effective 7/22/2016.

Filed Date: 10/4/16.

Accession Number: 20161004–5128.

Comments Due: 5 p.m. ET 10/25/16.

Docket Numbers: ER17–13–000.

Applicants: PacifiCorp.

Description: § 205(d) Rate Filing: BPA NITSA (CEC Load) to be effective 10/1/2016.

Filed Date: 10/4/16.

Accession Number: 20161004–5076.

Comments Due: 5 p.m. ET 10/25/16.

Docket Numbers: ER17–14–000.

Applicants: Big Turtle Wind Farm, LLC.

Description: § 205(d) Rate Filing: Certificate of Concurrence Filing to be effective 9/20/2016.

Filed Date: 10/4/16.

Accession Number: 20161004–5099.

Comments Due: 5 p.m. ET 10/25/16.

Docket Numbers: ER17–15–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2016–10–04_3rd Quarter MISO Tariff Clean-Up Filing to be effective 10/5/2016.

Filed Date: 10/4/16.

Accession Number: 20161004–5101.

Comments Due: 5 p.m. ET 10/25/16.

Take notice that the Commission received the following PURPA 210(m)(3) filings:

Docket Numbers: QM17–1–000.

Applicants: NorthWestern Corporation (South Dakota).

Description: Application to Terminate Mandatory PURPA Purchase Obligation in the Southwest Power Pool, Inc. of NorthWestern Corporation (South Dakota).

Filed Date: 10/4/16.

Accession Number: 20161004–5044.

Comments Due: 5 p.m. ET 11/1/16.

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: October 4, 2016.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2016–24550 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP16–1254–000.

Applicants: Texas Eastern Transmission, LP.

Description: § 4(d) Rate Filing: Negotiated Rates—October 2016 Chevron TEAM 2014 Release to be effective 10/1/2016.

Filed Date: 9/28/16.

Accession Number: 20160928–5047.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1255–000.

Applicants: Gulfstream Natural Gas System, L.L.C.

Description: § 4(d) Rate Filing: GNGS Moving Negotiated Rates to be effective 11/1/2016.

Filed Date: 9/28/16.

Accession Number: 20160928–5167.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1256–000.

Applicants: Transcontinental Gas Pipe Line Company.

Description: § 4(d) Rate Filing: 2016 Transco's LNG Fuel Tracker to be effective 11/1/2016.

Filed Date: 9/29/16.

Accession Number: 20160929–5010.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1257–000.

Applicants: Algonquin Gas Transmission, LLC.

Description: § 4(d) Rate Filing: Neg Rate—BUG Release to Enhanced Energy 792096 to be effective 10/1/2016.

Filed Date: 9/29/16.

Accession Number: 20160929–5013.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: RP16–1258–000.

Applicants: Algonquin Gas Transmission, LLC.

Description: § 4(d) Rate Filing: Neg Rate—KeySpan Release to Enhanced Energy 792097 to be effective 10/1/2016.

Filed Date: 9/29/16.

Accession Number: 20160929–5014.

Comments Due: 5 p.m. ET 10/11/16.

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 29, 2016.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2016–24548 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC16–156–000.

Applicants: Town Square Energy East, LLC, Town Square Energy, LLC.

Description: Supplement to July 27, 2016 Application of Town Square Energy East, LLC, et. al. for Authorization Under Federal Power Act Section 203.

Filed Date: 9/29/16.

Accession Number: 20160929–5118.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: EC16–196–000.

Applicants: Utah Red Hills Renewable Park, LLC.

Description: Application of Utah Red Hills Renewable Park, LLC, for Authorization for Disposition of Jurisdictional Facilities and Requests for Waivers and Expedited Action.

Filed Date: 9/30/16.

Accession Number: 20160930–5381.

Comments Due: 5 p.m. ET 10/21/16.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG17–1–000.

Applicants: ESS Lewes Project, LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of ESS Lewes Project, LLC.

Filed Date: 10/3/16.

Accession Number: 20161003–5091.

Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: EG17–2–000.

Applicants: Comanche Peak Power Company LLC.

Description: Comanche Peak submits EWG Self-Certification.

Filed Date: 10/3/16.
Accession Number: 20161003–5122.
Comments Due: 5 p.m. ET 10/24/16.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER16–2100–001.
Applicants: Gila River Power LLC.
Description: Market-Based Triennial Review Filing: Gila River Power LLC Updated MBR Tariff—Refiled Tariff to be effective 10/3/2016.
Filed Date: 10/3/16.
Accession Number: 20161003–5286.
Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER16–2659–002.
Applicants: Grant Plains Wind, LLC.
Description: Tariff Amendment: Additional Amendment of Application and Initial Tariff Baseline Filing to be effective 11/1/2016.
Filed Date: 10/3/16.
Accession Number: 20161003–5129.
Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER16–2729–001.
Applicants: Duke Energy Progress, LLC.
Description: Tariff Amendment: Amended DEP-Harris Recovery of Abandoned Nuclear Plant Costs to be effective 11/1/2016.
Filed Date: 10/3/16.
Accession Number: 20161003–5081.
Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER17–1–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 2872 Pleasant Hill Wind/SPS ASFC Agreement Cancellation to be effective 9/30/2015.
Filed Date: 10/3/16.
Accession Number: 20161003–5008.
Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER17–2–000.
Applicants: Frontier Windpower, LLC.
Description: Baseline eTariff Filing: MBR Tariff and Application to be effective 10/21/2016.
Filed Date: 10/3/16.
Accession Number: 20161003–5108.
Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER17–3–000.
Applicants: ESS Lewes Project, LLC.
Description: Baseline eTariff Filing: Baseline new to be effective 12/2/2016.
Filed Date: 10/3/16.
Accession Number: 20161003–5119.
Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER17–4–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: § 205(d) Rate Filing: 2016–10–03_SA 1503 NSP-Mankato 3rd Rev. GIA (G261/J299) to be effective 9/19/2016.
Filed Date: 10/3/16.
Accession Number: 20161003–5178.
Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER17–5–000.
Applicants: The United Illuminating Company.
Description: § 205(d) Rate Filing: Amendments to Lease Agreement to be effective 10/4/2016.
Filed Date: 10/3/16.
Accession Number: 20161003–5180.
Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER17–6–000.
Applicants: Deseret Generation & Transmission Co-operative, Inc.
Description: § 205(d) Rate Filing: Attachment K Update Filing to be effective 11/30/2016.
Filed Date: 10/3/16.
Accession Number: 20161003–5226.
Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER17–7–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 3183 Basin Electric and Northern States Power Company Att AO to be effective 9/1/2016.
Filed Date: 10/3/16.
Accession Number: 20161003–5237.
Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER17–8–000.
Applicants: Tucson Electric Power Company.
Description: § 205(d) Rate Filing: Revisions to Open Access Transmission Tariff to be effective 12/5/2016.
Filed Date: 10/3/16.
Accession Number: 20161003–5267.
Comments Due: 5 p.m. ET 10/24/16.

Docket Numbers: ER17–9–000.
Applicants: UNS Electric, Inc.
Description: § 205(d) Rate Filing: Revisions to Open Access Transmission Tariff to be effective 12/5/2016.
Filed Date: 10/3/16.
Accession Number: 20161003–5276.
Comments Due: 5 p.m. ET 10/24/16.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES16–47–000.
Applicants: AEP Utilities, Inc.
Description: Amendment to July 29, 2016 Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of AEP Utilities, Inc.
Filed Date: 9/30/16.
Accession Number: 20160930–5193.
Comments Due: 5 p.m. ET 10/21/16.

Take notice that the Commission received the following public utility holding company filings:

Docket Numbers: PH16–16–000.
Applicants: Starwood Energy Group Global, L.L.C.
Description: Starwood Energy Group Global, L.L.C. submits FERC 65–B Waiver Notification, et al.
Filed Date: 9/30/16.
Accession Number: 20160930–5369.
Comments Due: 5 p.m. ET 10/21/16.

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: October 3, 2016.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2016–24546 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98–1–000]

Records Governing Off-the-Record Communications; Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to

respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are available for electronic review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at *http://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, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

Docket No.	File date	Presenter or requester
Prohibited:		
1. CP16–22–000	9–21–2016	Mass Mailing.[1]
2. CP16–22–000	9–21–2016	Mass Mailing.[2]
3. CP16–22–000	9–21–2016	Mass Mailing,[3]
4. CP15–558–000	9–26–2016	Evan M. Schneider.
5. P–14341–000	9–26–2016	Mitchell Wexler
Exempt:		
1. CP16–10–000	9–20–2016	U.S. House Representative. H. Morgan Griffith.
2. CP15–558–000	9–20–2016	State of New Jersey Senator. Raymond J. Lesniak.
3. CP16–121–000	9–20–2016	City of Providence, Rhode Island. Mayor Jorge O. Elorza.
4. CP15–77–000	9–23–2016	United States Senator Mitch McConnell.
CP15–88–000		
5. CP15–520–000	9–26–2016	FERC Staff.[4]
6. ER13–2483–001	9–26–2016	U.S. House Representative Dave Brat.

Dated: October 4, 2016

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2016–24555 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application for Transfer of Licenses and Soliciting Comments and Motions To Intervene

Littleville Power Company, Inc., Kelley's Falls, LLC, Somersworth Hydro Company, Inc., Newbury Hydro Company, LLC, Hydro Energies Corporation, Barnet Hydro Company, LLC, Mascoma Hydro Corporation, Salmon Falls Hydro, LLC, Green Mountain Power Corporation.

Project Nos. 2801–039, 3025–027, 4451–018, 5261–021, 5313–015, 5702–017, 8405–021, and 11163–048, respectively.

On September 14, 2016, the above mentioned transferors and Green Mountain Power Corporation (transferee) filed an application for transfer of licenses for the following projects.

Project number	Project name	Location
P–2801–039	Glendale Project	Housatonic River, Berkshire County, MA.
P–3025–027	Kelley's Falls Project	Piscataquog River, Hillsborough County, NH.
P–4451–018	Lower Great Falls Project	Salmon Falls River, Strafford County, NH; York County, ME.
P–5261–021	Newbury Project	Wells River, Orange County, VT.
P–5313–015	Dewey's Mills Hydroelectric Project.	Wells River, Orange County, VT.
P–5702–017	Barnet Hydro Project	Stevens River, Caledonia County, VT.
P–8405–021	Glen Hydro Project	Mascoma River, Grafton County, NH.
P–11163–048	South Berwick Hydroelectric Project.	Salmon Falls River, York County, ME; Rollinsford & Strafford, counties, NH.

[1] Twenty four letters have been sent to FERC Commissioners and staff under this docket number.

[2] Twenty four letters have been sent to FERC Commissioners and staff under this docket number.

[3] Twelve letters have been sent to FERC Commissioners and staff under this docket number.

[4] Memo reporting communication with Cassandra Forsyth, FERC Contractor, and various agency representatives.

The transferors and transferee seek Commission approval to transfer the licenses for the above mentioned projects from the transferors to the transferee.

Applicant Contacts: For Transferor: Mr. Stephen Pike, Vice President, Operations, Enel Green Power North America, Inc., 1 Tech Drive, Suite 220, Andover, MA 01810, Email: *Stephen.Pike@enel.com* and General Counsel, Enel Green Power North America, Inc., 1 Tech Drive, Suite 220, Andover, MA 01810, Email: *generalcounsel@enel.com.* For Transferee: Ms. Charlotte Ancel, Vice President, Power Supply & General Counsel, Green Mountain Power Corporation, 163 Acorn Lane, Colchester, VT 05446, Email: *Charlotte.Ancel@greenmountainpower.com* and Ms. Elizabeth Kohler, Esq., Downs Rachlin Martin PLLC, 199 Main Street, P.O. Box 190, Burlington, VT 05402, Email: *EKohler@drm.com.*

FERC Contact: Patricia W. Gillis, (202) 502–8735.

Deadline for filing comments and motions to intervene: 30 days from the issuance date of this notice, by the Commission. The Commission strongly encourages electronic filing. Please file motions to intervene and 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 at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). 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–2801–039, P–3025–027, P–4451–018, P–5261–021, P–5313–015, P–5702–017, P–8405–021, and P–11163–048.

Dated: October 5, 2016.

Kimberly D. Bose,

Secretary.

[FR Doc. 2016–24602 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CD16–22–000]

Joseph W. Yeamans; Notice of Preliminary Determination of a Qualifying Conduit Hydropower Facility and Soliciting Comments and Motions To Intervene

On September 23, 2016, Joseph W. Yeamans filed a notice of intent to construct a qualifying conduit hydropower facility, pursuant to section 30 of the Federal Power Act (FPA), as amended by section 4 of the Hydropower Regulatory Efficiency Act of 2013 (HREA). The proposed FMC 33B Micro-hydro Project would have an installed capacity of 5 kilowatts (kW), and would be located along an existing irrigation pipeline on the applicant's land. The project would be located near the Town of Paonia in Delta County, Colorado.

Applicant Contact: Joseph W. Yeamans, 15445 Amsbury Rd., Paonia, CO 81428 Phone No. (970) 527–4323.

FERC Contact: Christopher Chaney, Phone No. (202) 502–6778, email: *Christopher.Chaney@ferc.gov.*

Qualifying Conduit Hydropower Facility Description: The proposed project would consist of: (1) An approximately 17-foot by 9-foot underground concrete vault containing one 4-jet Turgo turbine/generating unit with an installed capacity of 5 kW; (2) a 387-foot-long, 12-inch-diameter penstock, which further reduces to a short, 8-inch-diameter penstock with an 8-inch-diameter bypass; (3) four short, 4-inch-diameter pipes supplying the turbine/generating unit's four jets; (4) a 75-foot-long, 15-inch-diameter tailrace pipe discharging water to an existing irrigation conduit; and (5) appurtenant facilities. The proposed project would have an estimated annual generating capacity of 12,000 kilowatt-hours.

A qualifying conduit hydropower facility is one that is determined or deemed to meet all of the criteria shown in the table below.

TABLE 1—CRITERIA FOR QUALIFYING CONDUIT HYDROPOWER FACILITY

Statutory provision	Description	Satisfies (Y/N)
FPA 30(a)(3)(A), as amended by HREA ..	The conduit the facility uses is a tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.	Y
FPA 30(a)(3)(C)(i), as amended by HREA	The facility is constructed, operated, or maintained for the generation of electric power and uses for such generation only the hydroelectric potential of a non-federally owned conduit.	Y
FPA 30(a)(3)(C)(ii), as amended by HREA.	The facility has an installed capacity that does not exceed 5 megawatts	Y
FPA 30(a)(3)(C)(iii), as amended by HREA.	On or before August 9, 2013, the facility is not licensed, or exempted from the licensing requirements of Part I of the FPA.	Y

Preliminary Determination: The proposed addition of the hydroelectric project along the existing irrigation pipeline will not alter its primary purpose. Therefore, based upon the above criteria, Commission staff preliminarily determines that the proposal satisfies the requirements for a qualifying conduit hydropower facility, which is not required to be licensed or exempted from licensing.

Comments and Motions To Intervene: Deadline for filing comments contesting whether the facility meets the qualifying criteria is 45 days from the issuance date of this notice.

Deadline for filing motions to intervene is 30 days from the issuance date of this notice.

Anyone may submit comments or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and 385.214. Any motions to intervene must be received on or before the specified deadline date for the particular proceeding.

Filing and Service of Responsive Documents: All filings must (1) bear in all capital letters the ''COMMENTS CONTESTING QUALIFICATION FOR A CONDUIT HYDROPOWER FACILITY'' or ''MOTION TO INTERVENE,'' as

applicable; (2) state in the heading the name of the applicant and the project number of the application to which the filing responds; (3) state the name, address, and telephone number of the person filing; and (4) otherwise comply with the requirements of sections 385.2001 through 385.2005 of the Commission's regulations.[1] All comments contesting Commission staff's preliminary determination that the facility meets the qualifying criteria must set forth their evidentiary basis.

The Commission strongly encourages electronic filing. Please file motions to intervene and 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 at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Locations of Notice of Intent: Copies of the notice of intent can be obtained directly from the applicant or such copies can be viewed and reproduced at the Commission in its Public Reference Room, Room 2A, 888 First Street NE., Washington, DC 20426. The filing may also be viewed on the web at *http://www.ferc.gov/docs-filing/elibrary.asp* using the ''eLibrary'' link. Enter the docket number (*i.e.,* CD16–22) in the docket number field to access the document. For assistance, call toll-free 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov.* For TTY, call (202) 502–8659.

Dated: September 28, 2016.

Kimberly D. Bose,

Secretary.

[FR Doc. 2016–24614 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

[1] 18 CFR 385.2001–2005 (2016).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP16–12–000]

Tennessee Gas Pipeline Company, L.L.C.; Notice of Availability of the Environmental Assessment for the Proposed Southwest Louisiana Supply Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared this environmental assessment (EA) for the Southwest Louisiana Supply Project (Project) proposed by Tennessee Gas Pipeline Company, L.L.C. (Tennessee) in the above-referenced docket. Tennessee requests authorization to construct, operate, and maintain certain interstate natural gas transmission facilities located in the state of Louisiana to provide 295,000 dekatherms per day of natural gas and firm transportation services on Tennessee's 800 Line system. The purpose of the Project is to meet contractual obligations with Mitsubishi Corporation and MMGS, Inc.

The EA assesses the potential environmental effects of the construction and operation of the Project in accordance with the requirements of the National Environmental Policy Act (NEPA). The FERC staff concludes that approval of the proposed project, with appropriate mitigating measures, would not constitute a major federal action significantly affecting the quality of the human environment.

Tennessee proposes to construct a 2.4-mile-long, 30-inch-diameter pipeline lateral in Madison Parish, Louisiana; a 1.4-mile-long, 30-inch-diameter pipeline lateral in Richland and Franklin Parishes, Louisiana; five meter stations; one new compressor station in Franklin Parish, Louisiana; and replace a gas turbine engine at an existing compressor station in Rapides Parish, Louisiana.

The FERC staff mailed copies of the EA to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American tribes; potentially affected landowners and other interested individuals and groups; newspapers and libraries in the project area; and parties to this proceeding. In addition, the EA is available for public viewing on the FERC's Web site (*www.ferc.gov*) using the eLibrary link. A limited number of copies of the EA are available for distribution and public inspection at: Federal Energy Regulatory Commission, Public Reference Room, 888 First Street NE., Room 2A, Washington, DC 20426, (202) 502–8371.

Any person wishing to comment on the EA may do so. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that the Commission has the opportunity to consider your comments prior to making its decision on this project, it is important that we receive your comments in Washington, DC on or before October 31, 2016.

For your convenience, there are three methods you can use to file your comments to the Commission. In all instances, please reference the project docket number (CP16–12–000) with your submission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502–8258 or *efiling@ferc.gov.*

(1) You can file your comments electronically using the eComment feature on the Commission's Web site (*www.ferc.gov*) under the link to Documents and Filings. This is an easy method for submitting brief, text-only comments on a project;

(2) You can also file your comments electronically using the eFiling feature on the Commission's Web site (*www.ferc.gov*) under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''eRegister.'' You must select the type of filing you are making. If you are filing a comment on a particular project, please select ''Comment on a Filing''; or

(3) You can file a paper copy of your comments by mailing them to the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Room 1A, Washington, DC 20426.

Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.214).[1] Only intervenors have the right to seek rehearing of the Commission's decision. The Commission grants affected landowners and others with environmental concerns intervenor status upon showing good cause by stating that they have a clear and direct

[1] See the previous discussion on the methods for filing comments.

interest in this proceeding which no other party can adequately represent. Simply filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered.

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC Web site (*www.ferc.gov*) using the eLibrary link. Click on the eLibrary link, click on ''General Search,'' and enter the docket number excluding the last three digits in the Docket Number field (*i.e.,* CP16–12). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/docs-filing/esubscription.asp.*

Dated: September 29, 2016.

Kimberly D. Bose,

Secretary.

[FR Doc. 2016–24611 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER16–2730–000]

LSC Communications US, 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 LSC Communications US, 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 24, 2016.

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: October 4, 2016.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2016–24552 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No 3428–171]

Brown Bear II Hydro, Inc.; Notice of Application for Amendment of License To Incorporate Final Fish Passage Plans and Soliciting Comments, Motions To Intervene and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Amendment of License.

b. *Project No:* P–3428–171.

c. *Date Filed:* July 6, 2016.

d. *Applicant:* Brown Bear II Hydro, Inc.

e. *Name of Project:* Worumbo Hydroelectric Project.

f. *Location:* The Worumbo Project is located on the Androscoggin River in Androscoggin County, Maine.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Scott Hall, P.O. Box 267, Orono, ME 04473, (207) 461–3617.

i. *FERC Contact:* Mr. Mark Pawlowski 202–502–6052, *mark.pawlowski@ferc.gov.*

j. Deadline for filing comments, motions to intervene, and protests: 30 days from the issuance of this notice

All documents may be filed electronically via the Internet. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at *http://www.ferc.gov/docs-filing/efiling.asp.* If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and seven copies should be mailed to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. 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.

Please include the docket number (P–3428–171) on any comments, motions, or recommendations filed.

k. *Description of Request:* Brown Bear II Hydro, Inc., licensee for the Worumbo Project, requests that the Commission amend the project license to incorporate its proposed species protection plan for Atlantic salmon. Under the proposed species protection plan, the licensee would continue measures, including but not limited to: Operating the pneumatic flashboard system to provide a continuous downstream flow in the project's bypassed reach to maintain a downstream passage route for Atlantic salmon; operating the current upstream and downstream fish passage facilities in coordination with other hydroelectric projects located downstream of the Worumbo Project and the Maine Department of Marine Resources to provide passage for Atlantic salmon and other anadromous fish; and monitor bird predation during downstream passage studies. Proposed measures

include, but are not limited to: Operating the upstream fish lift dependent on the timing of passage of Atlantic salmon or river herring at the first project on the Androscoggin River, operating the downstream fishway based on the prior year's passage of Atlantic salmon and river herring; flood gate operations to facilitate passage; adult passage studies; annual reporting; and a process for adaptive management.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling 202–502–8371. This filing may also be Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://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, call 866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call 202–502–8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions To Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents: Any filing must (1) bear in all capital letters the title ''COMMENTS''; ''PROTESTS'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: October 5, 2016.

Kimberly D. Bose,

Secretary.

[FR Doc. 2016–24603 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER17–2–000]

Frontier Windpower, 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 Frontier Windpower, 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 24, 2016.

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: October 4, 2016.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2016–24553 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. TX16–3–000]

Jacumba Solar, LLC; Notice of Filing

Take notice that on September 27, 2016, pursuant to section 211 of the Federal Power Act, 16 U.S.C. 824j, and Part 36 of the Federal Energy Regulatory Commission's (Commission) Regulations, 18 CFR part 36, Jacumba Solar, LLC submitted an application for an order directing the provision of transmission service and request for expedited action.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to

become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov,* using the ''eLibrary'' link and is available for 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.

Comment Date: 5:00 p.m. Eastern Time on October 18, 2016.

DATED: September 28, 2016.

Kimberly D. Bose,

Secretary.

[FR Doc. 2016–24613 Filed 10–11–16; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2015–0508; FRL–9952–63]

Notice of a Public Meeting and Opportunity for Public Comment on EPA's Draft Algae Guidance for the Preparation of TSCA Biotechnology Submissions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA will be hosting a public meeting to receive public input and comments on EPA's draft Algae Guidance for the Preparation of TSCA Biotechnology Submissions (Algae Guidance) in Tempe, AZ on October 27, 2016. The draft Algae Guidance describes EPA's data needs to support risk assessments of genetically engineered algae and cyanobacteria that are manufactured, imported, or processed, and are subject to regulations under section 5 of The Toxic Substances Control Act (TSCA). EPA encourages all members of the public interested in participating in this meeting to register to attend. Due to space limitations, the Agency anticipates that approximately 120 people will be able to attend the meeting in person, with seating available on a first-come, first-serve basis. For registrants not able to attend in person, Web connect and teleconference capabilities will also be provided.

DATES: *Meeting.* The meeting will be held on Thursday, October 27, 2016, from 8:00 a.m. to 12:00 p.m., MST.

Meeting registration. Registration online, by U.S. Postal Service, or by overnight/priority mail is available for this meeting, and must be received no later than 11:59 p.m., MST, on Tuesday, October 25, 2016. On-site registration will be permitted, but seating and speaking priority will be given to those who register by the above listed deadline.

To request accommodation of a disability, please contact the meeting logistics person listed under **FOR FURTHER INFORMATION CONTACT**, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

Comments. EPA will hear oral comments on Thursday, October 27, 2016 and accept written comments and electronic materials submitted on or before November 30, 2016.

ADDRESSES: *Meeting.* The meeting will be held at Arizona State University, Old Main Building, 400 E Tyler Mall, Tempe, AZ 85281. The meeting will also be available via web connect and teleconferencing for all registered participants, for further information see Unit III.A. in the **SUPPLEMENTARY INFORMATION**.

Meeting registration. To register go to *https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/announcing-second-public-meeting-and* and follow the link to complete the online registration form. To register by U.S. Postal Service or overnight/priority mail, mail your registration to: Carolina Peñalva-Arana, Risk Assessment Division, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., (MC 7403M) Washington, DC 20460–0001; telephone number: (202) 564–4816; email address: *penalva-arana.carolina@epa.gov.*

Comments. Submit your written comments, identified by docket ID number EPA–HQ–OPPT–2015–0508 by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.
- *Mail:* Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets in general is available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Carolina Peñalva-Arana, Risk Assessment Division, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., (MC 7403M) Washington, DC 20460–0001; telephone number: (202) 564–4816; email address: *penalva-arana.carolina@epa.gov.*

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: *TSCA-Hotline@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including those interested in environmental and human health assessment, the industrial and commercial biotechnology industry—including those employing modern versions sometimes referred to as synthetic biology, the algae production industry, chemical producers and users, consumer product companies, and members of the public interested in the risk assessment of genetically engineered algae and cyanobacteria subject to TSCA oversight. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA–HQ–OPPT–2015–0508, is available at *http://www.regulations.gov* or at the Office of Pollution Prevention and

Toxics Docket (OPPT Docket), Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPPT Docket is (202) 566–0280. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.* Documents and meeting information will also be available at the registration Web site.

C. What should I consider as I prepare my comments for EPA?

When preparing oral comments see tips at *https://projects.erg.com/conferences/oppt/workshophome.htm* and for submitting written comments see the commenting tips at *http://www.epa.gov/dockets/comments.html.*

II. Background

The objective of this meeting is to inform and discuss EPA's draft Algae Guidance document that describes data needs to support risk assessments of genetically engineered algae and cyanobacteria, which are subject to TSCA oversight. Members of the public are invited to review the draft Algae Guidance document and supporting documentation, and provide comments on the draft Algae Guidance document. This information is distributed solely for informational purposes and should not be construed to represent any Agency determination or policy. The meeting will be open to the public and experts in biotechnology, algae production, and risk assessment, and all are encouraged to attend and present their views.

III. Meeting

A. Web Meeting Access

The meeting will be available via Web connect and teleconferencing for registered participants. All registered participants will receive information on how to connect to the meeting prior to its start.

B. Public Participation

Members of the public may register to attend the meeting as observers and may also register to offer oral comments on the day of the meeting. Registered speakers are encouraged to focus on science-based aspects directly relevant to the meeting's objective and to address specific scientific points in their oral comments. Each speaker is allowed no more than 3 minutes. To accommodate as many registered speakers as possible, speakers may present oral comments only, without visual aids or written material. However, additional supporting materials may be submitted electronically to the docket at any time. Given time constraints, the number of speakers allowed during the comment periods will be decided upon by the meeting chair. Speakers will be selected in a manner designed to optimize representation from all organizations, affiliations, and present a balance of science issues relevant to the meeting's objective.

Written comments and electronic materials may be submitted on or before November 30, 2016 to the docket ID number EPA–HQ–OPPT–2015–0508, for further information see **ADDRESSES** section above.

IV. How can I request to participate in this meeting?

A. Registration

To attend the meeting and receive remote access, your registration must be received no later than 11:59 p.m. MST on Tuesday, October 25, 2016 using one of the methods described under **ADDRESSES**. While on-site registration will be available, seating will be on a first-come, first-serve basis, with priority given to early registrants, until room capacity is reached. Time permitting, on-site registrants may offer oral comments following those of early registrants. For meeting logistics or registration questions contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. Required Registration Information

Members of the public may register to attend or offer oral comments during the scheduled public comment periods of the meeting. To register for the meeting online or by mail, you must provide your full name, organization or affiliation, and contact information. If you indicate that you wish to speak, you will be asked to select a session to give your oral comments in during the meeting.

List of Subjects

Environmental Protection, Business and Industry, Chemicals, Ecology, Health and Safety, Industrial Safety.

Authority: 15 U.S.C. 2601 *et seq.*

Dated: October 4, 2016.

Jeffrey T. Morris,

Acting Director, Office of Pollution Prevention and Toxics.

[FR Doc. 2016–24653 Filed 10–11–16; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–R07–OW–2016–0586; FRL–9954–03–Region 7]

Notice of Approval of the Primacy Application for National Primary Drinking Water Regulations for the State of Nebraska

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of approval and solicitation of requests for a public hearing.

SUMMARY: The Environmental Protection Agency (EPA) is hereby giving notice that the State of Nebraska is revising its approved Public Water Supply Supervision Program under the Nebraska Department of Health and Human Services. The EPA has determined that these revisions are no less stringent than the corresponding Federal regulations. Therefore, the EPA intends to approve these program revisions.

DATES: This determination to approve the Nebraska program revision is made pursuant to 40 CFR 142.12(d) (3). This determination shall become final and effective on November 14, 2016, unless (1) a timely and appropriate request for a public hearing is received or (2) the Regional Administrator elects to hold a public hearing on his own motion. Any interested person, other than Federal Agencies, may request a public hearing. A request for a public hearing must be submitted to the Regional Administrator at the address shown below by November 14, 2016. If a substantial request for a public hearing is made within the requested thirty-day time frame, a public hearing will be held and a notice will be given in the **Federal Register** and a newspaper of general circulation. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. If no timely and appropriate request for a hearing is received, and the Regional Administrator does not elect to hold a hearing on his own motion, this determination will become effective on November 14, 2016. All interested parties may request a public hearing on the approval to the Regional Administrator at the EPA Region 7 address shown below.

ADDRESSES: Any request for a public hearing shall include the following information: (1) Name, address and telephone number of the individual, organization or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the

Regional Administrator's determination and a brief statement on information that the requesting person intends to submit at such hearing; (3) the signature of the individual making the request or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity. Requests for Public Hearing shall be addressed to: Regional Administrator, Environmental Protection Agency, Region 7, 11201 Renner Boulevard, Lenexa, Kansas 66219.

All documents relating to this determination are available for inspection between the hours of 9 a.m. and 3:00 p.m., Monday through Friday at the following offices: Nebraska Department of Health and Human Services, 301 Centennial Mall South, 3rd Floor, Lincoln, Nebraska 68509–5007. Environmental Protection Agency, Region 7, Water Wetlands and Pesticides Division, Drinking Water Management Branch, 11201 Renner Blvd, Lenexa, Kansas 66219.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Deason, Environmental Protection Agency, Region 7, Drinking Water Management Branch, (913) 551–7585, or by email at *deason.ken@epa.gov*.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the EPA has determined to approve an application by the Nebraska Department of Health and Human Services to incorporate the following EPA National Primary Drinking Water Regulations: (1) Long Term 2 Enhanced Surface Water Treatment Rule (January 5, 2006, 71 FR 654); (2) Stage 2 Disinfectants and Disinfection Byproducts Rule (January 4, 2006, 71 FR 388, Vol. 71, No. 2); (3) Ground Water Rule (November 8, 2006), 71 FR 65574); (4) for Lead and Copper: Short-Term Regulatory Revisions and Clarifications (October 10, 2007, 72 FR 57782). The application demonstrates that Nebraska has adopted drinking water regulations which satisfy the National Primary Drinking Water Regulations. The EPA has determined that Nebraska's regulations are no less stringent than the corresponding Federal regulations and that Nebraska continues to meet all requirements for primary enforcement responsibility as specified in 40 CFR 142.10.

(Authority: Section 1413 of the Safe Drinking Water Act, as amended, and 40 CFR 142.10, 142.12(d) and 142.13)

Dated: September 28, 2016.

Mike Brincks,

Acting Regional Administrator, Region 7.

[FR Doc. 2016–24660 Filed 10–11–16; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OECA–2010–0291; FRL–9953–81–OECA]

Proposed Information Collection Request; Comment Request; State Review Framework; EPA ICR No. 2185.06; OMB Control No. 2020–0031

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency is planning to submit a request to renew an existing approved collection request (ICR), ''State Review Framework'' (EPA ICR No. 2185.06, OMB Control No. 2020–0031) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed extension of the ICR, which is currently approved through February 28, 2017. 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.

DATES: Comments must be submitted on or before December 12, 2016.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA–HQ–OECA–2010–0291 online using *www.regulations.gov* (our preferred method), or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Christopher Knopes, Office of Enforcement and Compliance Assurance, Office of Compliance; Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: 202–564–2337; email address: *knopes.christopher@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Pursuant to section 3506(c)(2)(A) of the PRA, EPA is soliciting comments and information to enable it to: (i) 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; (ii) 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; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) 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. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, EPA will issue another **Federal Register** notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

Abstract: The State Review Framework is an oversight tool designed to assess state performance in enforcement and compliance assurance. The Framework's goal is to evaluate state performance by examining existing data to provide a consistent level of oversight and develop a uniform mechanism by which EPA Regions, working collaboratively with their states, can ensure that state environmental agencies are consistently implementing the national compliance and enforcement program in order to meet agreed-upon goals. Furthermore, the Framework is designed to foster dialogue on enforcement and compliance performance between the states that will enhance relationships

and increase feedback, which will in turn lead to consistent program management and improved environmental results. The Framework is described in the April 26, 2005 **Federal Register** Notice (*79 FR 21408*). This request will allow OECA to collect information from enforcement and compliance files reviewed during routine on-site visits of state or local agency offices that will assist in the evaluation of the State Review Framework implementation from FY 2017 to the end of FY 2019. It will allow also EPA to make inquiries to assess the State Review Framework process, including the consistency achieved among the EPA Regions and states, the resources required to conduct the reviews, and the overall effectiveness of the program.

Form Numbers: None.

Respondents/affected entities: States, localities, and territories.

Respondent's obligation to respond: Required as part of program authorization under the Clean Water, Clean Air, and Resource Conservation and Recovery Acts.

Estimated number of respondents: 54.

Frequency of response: Once every five years.

Total estimated burden: 2,765 hours (per year). Burden is defined at 5 CFR 1320.03(b)

Total estimated cost: $108,649 (per year), includes $0 annualized capital or operation & maintenance costs.

Changes in Estimates: There is decrease of 2,862 hours (per year) in the total estimated respondent burden compared with the ICR currently approved by OMB. This decrease reflects full implementation of efficiencies instituted just prior to the submittal of the currently approved ICR in addition to continued experience on the part of respondents with the review process. Also, adjustments were made to the estimates because several alternative respondents were consulted to who had completed a more recent review.

Dated: September 20, 2016.

Michael Mason,

Branch Chief, State and Tribal Performance Branch, Office of Compliance.

[FR Doc. 2016–24662 Filed 10–11–16; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Docket 2016–0053; Sequence 41]; OMB Control No. 9000–0138]

Information Collection; Contract Financing

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for public comments regarding an extension to an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension to a previously approved information collection requirement concerning contract financing.

DATES: Submit comments on or before December 12, 2016.

ADDRESSES: Submit comments identified by Information Collection 9000–0138 by any of the following methods:

- *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by searching the OMB control number 9000–0138. Select the link ''Comment Now'' that corresponds with ''Information Collection 9000–0138, Contract Financing''. Follow the instructions provided on the screen. Please include your name, company name (if any), and ''Information Collection 9000–0138, Contract Financing'' on your attached document.
- *Mail:* General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW., Washington, DC 20405. ATTN: Ms. Flowers/IC 9000–0138.

Instructions: Please submit comments only and cite Information Collection 9000–0138, in all correspondence related to this collection. Comments received generally will be posted without change to *http://www.regulations.gov,* including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check *www.regulations.gov,* approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Ms. Kathlyn Hopkins, Procurement Analyst, Office of Acquisition Policy, GSA, 202–969–7226, or email *kathlyn.hopkins@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. Purpose

The Federal Acquisition Streamlining Act (FASA) of 1994, Public Law 103–355, provided authorities that streamlined the acquisition process and minimize burdensome Government-unique requirements. Sections 2001 and 2051 of FASA substantially changed the statutory authorities for Government financing of contracts. Sections 2001(f) and 2051(e) provide specific authority for Government financing of purchases of commercial items; here, contract financing is permitted with certain limitations. Likewise, sections 2001(b) and 2051(b) substantially revised the authority for Government financing of purchases of non-commercial items, by permitting contract financing on the basis of certain classes of measures of performance.

To implement these changes, DOD, NASA, and GSA amended the FAR by revising Subparts 32.0, 32.1, and 32.5; by adding new Subparts 32.2 and 32.10; and by adding new clauses to 52.232.

The coverage enables the Government to provide financing to assist in the performance of contracts for commercial items and provide financing for non-commercial items based on contractor performance.

B. Annual Reporting Burden

Public reporting burden for this collection of information is estimated to average 2 hours per request for commercial financing and 2 hours per request for performance-based financing, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The annual reporting burden for commercial financing is estimated as follows:

Respondents: 1,000.
Responses Per Respondent: 5.
Total Responses: 5,000.
Hours Per Response: 2.
Total Burden Hours: 10,000.

The annual reporting burden for performance-based financing is estimated as follows:

Respondents: 500.
Responses Per Respondent: 12.
Total Responses: 6,000.
Hours Per Response: 2.
Total Burden Hours: 12,000.

C. Public Comments

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the FAR, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

Obtaining Copies of Proposals: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW., Washington, DC 20405, telephone 202–501–4755. Please cite OMB Control No. 9000–0138, Contract Financing, in all correspondence.

Dated: October 5, 2016.

Lorin S. Curit,

Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2016–24538 Filed 10–11–16; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000–0096; Docket No. 2016–0053; Sequence No. 31]

Submission for OMB Review; Patents

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for comments regarding an extension to an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement concerning patents. A notice was published in the **Federal Register** at 81 FR 43607 on July 5, 2016. No comments were received.

DATES: Submit comments on or before November 14, 2016.

ADDRESSES: Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for GSA, Room 10236, NEOB, Washington, DC 20503. Additionally submit a copy to GSA by any of the following methods:

- *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by searching for ''9000–0096; Patents''. Select the link ''Submit a Comment'' that corresponds with ''Information Collection 9000–0096, Patents''. Follow the instructions provided at the ''Submit a Comment'' screen. Please include your name, company name (if any), and ''Information Collection 9000–0096, Patents'' on your attached document.
- *Mail:* General Services Administration, Regulatory Secretariat Division (MVCB), IC 9000–0096, 1800 F Street NW., Washington, DC 20405.

Instructions: Please submit comments only and cite Information Collection 9000–0096, Patents, in all correspondence related to this collection. Comments received generally will be posted without change to *http://www.regulations.gov,* including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check *www.regulations.gov,* approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Mr. Charles Gray, Procurement Analyst, Federal Acquisition Policy Division, at 703–795–6328 or email *charles.gray@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. Purpose

The patent coverage in Federal Acquisition Regulation (FAR) subpart 27.2 requires the contractor to report each notice of a claim of patent or copyright infringement that came to the contractor's attention in connection with performing a Government contract (FAR 27.202–1 and 52.227–2).

The contractor is also required to report all royalties anticipated or paid in excess of $250 for the use of patented inventions by furnishing the name and address of licensor, date of license agreement, patent number, brief description of item or component, percentage or dollar rate of royalty per unit, unit price of contract item, and number of units (FAR 27.202–5, 52.227–6, and 52.227–9).

B. Annual Reporting Burden

Number of Respondents: 107.
Responses per Respondent: 1.
Total Annual Responses: 107.
Hours per Response: 1.17.
Estimated Total Burden Hours: 126.
Frequency: On Occasion.
Affected Public: Businesses or other-for-profit entities and not-for-profit institutions.

C. Public Comments

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the FAR, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

Obtaining Copies of Proposals: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW., Washington, DC 20405, telephone 202–501–4755.

Please cite OMB Control No. 9000–0096, Patents, in all correspondence.

Dated: October 5, 2016.

Lorin S. Curit,

Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2016–24537 Filed 10–11–16; 8:45 am]

BILLING CODE 6820–14–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Statement of Organization, Functions, and Delegations of Authority

Part C (Centers for Disease Control and Prevention) of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health and Human Services (45 FR 67772–76, dated October 14, 1980, and corrected at 45 FR 69296, October 20, 1980, as amended most recently at 81 FR 66284–66285,

dated September 27, 2016) is amended to reflect the reorganization of the Division of Scientific Resources, National Center for Emerging and Zoonotic Infectious Diseases, Office of Infectious Diseases, Centers for Disease Control and Prevention.

Section C–B, Organization and Functions, is hereby amended as follows:

Delete and replace the title and the mission and function statements for the *Division of Scientific Resources (CVLH)* and insert the following:

Division of Scientific Resources (CVLH). The Division of Scientific Resources (DSR) provides products, services, and specialized expertise to CDC staff and activities in support of research and service activities: In carrying out its mission, DSR: (1) Provides animals, laboratory supplies, animal and human blood products, glassware, mammalian tissue cultures, microbiological media, special reagents, and other laboratory materials in support of research and service activities to laboratories and investigators at CDC; (2) develops and implements applied research programs to expand and enhance the use of animal models necessary to support research and diagnostic programs and to improve breeding and husbandry procedures; (3) conducts applied research in cell biology and in the expansion of tissue culture technology as a research and diagnostic tool for infectious disease activities; (4) provides services for laboratory investigators in protein and DNA synthesis and sequencing, genomic sequencing, microarrays, proteomics, and molecular modeling; (5) maintains a bank of serum and other biological specimens of epidemiological and special significance to CDC's research and diagnostic activities; (6) obtains and distributes experimental and orphaned vaccines, drugs, antisera, antitoxins, and immune globulins; (7) manages and distributes the inventory, maintains the computerized system database, and provides general technical service support for the dispensing, lyophilizing, capping, and labeling of CDC reference reagents; (8) receives, triages, processes, and distributes specimens to CDC laboratories for reference diagnostic testing, research studies, and epidemics and reports diagnostic test results to submitting organizations; (9) manages all CDC exports and ensures compliance with regulations and serves as CDC liaison with the Department of Commerce for export related issues; (10) produces and distributes specialized reagents and kits for the detection of select agents to members of the Laboratory Response Network; (11) provides services and expertise in development of quality systems to support compliance with the Food and Drug Administration regulations on production, distribution, and use of laboratory diagnostic reagents; (12) provides liaison activities, resources, and expertise for inquiries related to animals and zoonotic diseases; and (13) provides a centralized activity for tracking requests for and distributing select agents to investigators outside of CDC in compliance with federal regulations.

Office of the Director (CVLH1). (1) Manages, directs, and coordinates the activities of DSR; (2) provides leadership and guidance on policy, budget, program planning and development, program management, and operations; (3) provides DSR-wide administrative and program services and coordinates or ensures coordination with the appropriate CIOs, OID, and CDC staff offices on administrative and program matters; (4) provides liaison with other governmental agencies, international organizations, and other outside groups; (5) coordinates, in collaboration with the appropriate CIOs, OID, and CDC components, laboratory activities relating to support of outbreak investigations or laboratory-based research including but not limited to specimen management, biological reagents, and laboratory supplies; (6) maintains a formulary of investigational and licensed drugs and biologicals that are distributed to approved physicians for the prevention, control, and/or treatment of rare, tropical, or exceptional diseases; (7) advises the Director, NCEZID, on policy matters concerning DSR activities; and (8) coordinates technical services for laboratory activities of CDC programs including procurement of glassware and laboratory supplies.

Comparative Medicine Branch (CVLHB). (1) Acquires and distributes laboratory animals for research; (2) provides appropriate housing, husbandry, and psychological enrichment for all research animals; (3) provides veterinary services, including clinical and surgical support, for the laboratory animals; (4) develops standard operating procedures for animal care and use in accordance with the policies established by the American Association for Accreditation of Laboratory Animal Care, the Animal Welfare Act, The Guide for the Care & Use of Laboratory Animals, and the CDC International Animal Care & Use Committee; (5) conducts applied research to improve the care and use of animals in research and collaborates on research projects that use laboratory animals; (6) provides consultation and laboratory animal technology training to investigators, technical staff and animal care personnel; (7) provides oversight, support and investigator training for the graphical animal information technology protocol development and animal tracking database; (8) coordinates technical services for laboratory activities of CDC programs including processing and distribution of glassware and related items, laboratory waste decontamination and disposal, laundry services, and materiel management; and (9) provides autoclave label production services.

Biotechnology Core Facility Branch (CVLHD). (1) provides state-of-the-art next-generation genomic sequencing and metagenomics analysis of infectious and biothreat agents; (2) provides optical mapping to produce high resolution whole-genome maps for strain typing, molecular epidemiology, comparative genomics, and quality control for whole genome sequence assembly; (3) provides computational analysis of genomics sequencing data, bioinformatics, and biological computing; (4) provides qualitative and quantitative proteomic analyses (identification of expressed proteins by mass spectrometry); analysis of functionally-relevant post-translational modifications of proteins; (5) provides mass spectrometry-based positive identification of bacteria and fungi (BioTyperTM, Bruker Daltonics); (6) provides synthetic oligonucleotide chemistry in support of development of rapid diagnostic tests and characterization of pathogens and their hosts; (7) provides synthetic peptide chemistry in support of studies of immune response and antigen-antibody interactions; (8) provides biotechnology seminars and methods evaluation; (9) provides laboratory equipment design and repair services to all CDC; and (10) collaborates on research related to STD transmitted infections as chronic infectious diseases.

Reagent and Diagnostic Services Branch (CVLHG). (1) maintains laboratory water treatment systems to ensure quality of CDC reagent grade laboratory water; (2) produces, develops, evaluates and distributes custom microbiological and cell culture media, buffers and chemical reagent, mammalian and insect cell cultures, hybridomas, monoclonal and polycolonal antibodies, and in vitro diagnostic products for diagnostic research purposes, proficiency testing, pandemic preparedness, outbreak response and surveillance activities; (3) collaborates with subject matter experts

in regulatory compliant development, production, packaging, storing and distribution of BSL2/BSL3 reagents, select agents, novel immuno-chemical reagents and reference diagnostic reagents; (4) provides dispensing, lyophilizing, label production, and device assembly services; (5) improves the process of bench-top development and in-house pilot scale production providing immediate availability for distribution, preventing backorders and streamlining commercialization; (6) maintains CDC's Biological Reference Reagent Inventory, mammalian cell line repository and a serviceable inventory at the DSR Continuity of Operations storage facility; (7) provides centralized specimen management services for diagnostic, reference, and outbreak investigations; maintains a bank of biological specimens of epidemiological significance to CDC's research and diagnostic activities; manages and tracks systems of specimen collections; (8) receives, triages, processes, stores and distributes specimens to CDC laboratories for reference diagnostic testing, research studies, and reports diagnostic and surveillance test results to submitting organizations; (9) serves as central facility for acquisition and distribution of fresh human blood, blood products, and serum in bulk; (10) packages and ships infectious substances and other materials, ensuring compliance with regulations for shipping clinical specimens, infectious substances, and other materials; (11) manages all CDC exports and ensures compliance with regulations and serves as CDC liaison with Department of Commerce for export related issues; and (12) provides consultation in all of the above technical services.

Sherri Berger,

Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2016–24640 Filed 10–11–16; 8:45 am]

BILLING CODE 4160–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Agency Recordkeeping/Reporting Requirements Under Emergency Review by the Office of Management and Budget (OMB)

Title: Provision of Child Support Services in IV–D cases under the Hague Child Support Convention; Federally Approved Forms.

OMB No.: New Collection.

Description: On January 1, 2017, the 2007 Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance will enter into force for the United States. This Convention contains groundbreaking provisions that, for the first time on a worldwide scale, will establish uniform, simple, fast, and inexpensive procedures for the processing of international child support cases. Once the Convention is in effect, U.S. states will process child support cases with other countries that have ratified the Convention under the requirements of the Convention and article 7 of the Uniform Interstate Family Support Act (UIFSA 2008). In order to comply with the Convention, the U.S. must implement the Convention's case processing forms.

State and Federal law require states to use federally-approved case processing forms. Section 311(b) of UIFSA 2008, which has been enacted by all 50 states, the District of Columbia, Guam, Puerto Rico and the Virgin Islands, requires States to use forms mandated by Federal law. 45 CFR 303.7 also requires child support programs to use federally-approved forms in intergovernmental IV–D cases unless a country has provided alternative forms as a part of its chapter in a Caseworker's Guide to Processing Cases with Foreign Reciprocating Countries.

Respondents: State agencies administering a child support program under title IV–D of the Social Security Act.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Annex I: Transmittal form under Article 12(2)	54	46	1	2,484
Annex II: Acknowledgment form under Article 12(3)	54	93	.5	2,511
Annex A: Application for Recognition and Enforcement, including restricted information on the applicant	54	19	.5	513
Annex A: Abstract of Decision	54	5	1	270
Annex A: Statement of Enforceability of Decision	54	19	0.17	174
Annex A: Statement of Proper Notice	54	5	.5	135
Annex A: Status of Application Report	54	37	.33	659
Annex B: Application for Enforcement of a Decision Made or Recognized in the Requested State, including restricted information on the applicant	54	19	.5	513
Annex B: Status of Application Report, Article 12	54	37	.33	659
Annex C: Application for Establishment of a Decision, including restricted information on the Applicant	54	5	.5	135
Annex C: Status of Application Report—Article 12	54	9	.33	160
Annex D: Application for Modification of a Decision, including Restricted Information on the Applicant	54	5	.5	135
Annex D: Status of Application Report—Article 12	54	9	.33	160
Annex E: Financial Circumstances Form	54	46	2	4,968

Estimated Total Annual Burden Hours: 13,478.

Additional Information: ACF is requesting that OMB grant a 180 day approval for this information collection under procedures for emergency processing by October 20, 2016. A copy of this information collection, with applicable supporting documentation, may be obtained by calling the Administration for Children and Families, Reports Clearance Officer, Robert Sargis at (202) 690–7275.

Comments and questions about the information collection described above should be directed to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for ACF, Office of Management and Budget, Paperwork Reduction Project, 725 17th Street NW.,

Washington, DC 20503; FAX: (202) 395–7285; email: *oira_submission@omb.eop.gov.*

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2016–24583 Filed 10–11–16; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Submission for OMB Review; Comment Request

Title: Form ACF–696T, ''Child Care and Development Fund Annual Financial Report for Tribes''.

OMB No.: 0970–0195.

Description: This form is used by Tribes and Tribal Organizations that have been approved as grantees to administer the Child Care and Development Fund program (CCDF). This form is submitted annually to report CCDF program expenditures to the Administration for Children and Families.

The authority to collect and report this information can be found in Section 658G of the Child Care and Development Block Grant Act of 1990 (Pub. L. 101–508), as amended, and in Federal regulations at 45 CFR 98.65(g) and 98.67(c)(1) which authorize the Secretary to require financial reports as necessary.

Respondents: Tribes and Tribal Organizations.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Form ACF–696T, ''Child Care and Development Fund Annual Financial Report for Tribes''	272	1	6	1,632

Estimated Total Annual Burden Hours: 1,632.

Additional Information: Copies of the proposed collection may be obtained by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 330 C Street SW., Washington, DC 20201. Attention Reports Clearance Officer. All requests should be identified by the title of the information collection. Email address: *infocollection@acf.hhs.gov*.

OMB Comment: OMB is required to make a decision concerning the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication. Written comments and recommendations for the proposed information collection should be sent directly to the following: Office of Management and Budget, Paperwork Reduction Project, *Email: OIRA_SUBMISSION@OMB.EOP.GOV, Attn:* Desk Officer for the Administration for Children and Families.

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2016–24588 Filed 10–11–16; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

Draft Government Wide Strategic Plan for FY 2017–2020

AGENCY: Administration for Community Living (ACL), National Institute on Disability, Rehabilitation, and Independent Living Research (NIDILRR), HHS.

ACTION: Notice and request for comments.

SUMMARY: The Workforce Innovation and Opportunity Act (WIOA) (Pub. L. 113–128) requires the Interagency Committee on Disability Research (ICDR) to develop a comprehensive government wide strategic plan. This notice invites the general public and other public agencies to comment on the Draft Government Wide Strategic Plan for FY 2017–2020. The plan can be viewed on the ICDR Web site at *http://icdr.acl.gov/content/icdr-seeks-comments-draft-government-wide-strategic-plan*.

DATES: Written comments must be received on the plan before October 26, 2016.

ADDRESSES: *Comments may be sent to:* Kristi Hill, Executive Director of the Interagency Committee on Disability Research and Deputy Director of the National Institute on Disability, Rehabilitation, and Independent Living Research, Administration on Community Living, U.S. Department of Health and Human Services, Mary E. Switzer Building, 330 C Street SW., Room 1304, Washington, DC 20201. Comments may also be submitted via fax to the attention of ICDR at 703–356–8314 or via email to *ICDRinfo@neweditions.net*. All responses to this notice will be summarized and posted on the ICDR Web site. All comments will be a matter of public record.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this information collection should be directed to the ICDR at *ICDRinfo@neweditions.net*.

Dated: October 4, 2016.

John Tschida,

Director, National Institute on Disability, Rehabilitation, and Independent Living Research.

[FR Doc. 2016–24531 Filed 10–11–16; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Neurological Disorders and Stroke; Notice of Closed Meeting

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 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 Institute of Neurological Disorders and Stroke, Initial Review Group, Neurological Sciences and Disorders K.

Date: November 7, 2016.

Time: 8:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Place: Lorien Hotel and Spa, 1600 King Street, Alexandria, VA 22314.

Contact Person: Shanta Rajaram, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS/NIH/DHHS, Neuroscience Center, 6001 Executive Blvd., Suite 3204, MSC 9529, Bethesda, MD 20892–9529, 301–496–6033, *Rajarams@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS)

Dated: October 5, 2016.

Sylva L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2016–24521 Filed 10–11–16; 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 Meeting

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 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: Immunology Integrated Review Group; Vaccines Against Microbial Diseases Study Section.

Date: October 20–21, 2016.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Capital View, 2850 South Potomac Avenue, Arlington, VA 22202.

Contact Person: Jian Wang, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4218, MSC 7812, Bethesda, MD 20892, (301) 435–2778, *wangjia@csr.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.

(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: October 5, 2016.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2016–24514 Filed 10–11–16; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Human Genome Research Institute; Notice of Closed Meeting

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 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 Human Genome Research Institute Special Emphasis Panel; T32 SEP.

Date: October 11, 2016.

Time: 11:00 a.m. to 2:30 p.m.

Agenda: To review and evaluate grant applications.

Place: NHGRI, 5635FL, 3rd Floor Conference Room, Fishers Lane, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Ken D. Nakamura, Ph.D., Scientific Review Officer, Scientific Review Branch, National Human Genome Research Institute, National Institutes of Health, 5635 Fishers Lane, Suite 4076, MSC 9306, Rockville, MD 20852, 301–402–0838, *nakamurk@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.

(Catalogue of Federal Domestic Assistance Program Nos. 93.172, Human Genome Research, National Institutes of Health, HHS)

Dated: *October 5, 2016.*

Sylvia L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2016–24517 Filed 10–11–16; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Human Genome Research Institute; Notice of Closed Meeting

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 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 Human Genome Research Institute Special Emphasis Panel, Sequencing Technology.

Date: November 1, 2016.

Time: 11:30 a.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: NHGRI, 5635FL, 3rd Floor Conf. Room, Fishers Lane, Rockville, MD, (Telephone Conference Call).

Contact Person: Ken D. Nakamura, Ph.D., Scientific Review Officer, Scientific Review Branch, National Human Genome Research Institute, National Institutes of Health, 5635 Fishers Lane, Suite 4076, MSC 9306, Rockville, MD 20852, 301–402–0838, *nakamurk@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.172, Human Genome Research, National Institutes of Health, HHS)

Dated: October 5, 2016.

Sylvia L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2016–24518 Filed 10–11–16; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Neurological Disorders and Stroke; 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: National Institute of Neurological Disorders and Stroke Special Emphasis Panel, BPN: Small Molecule Drug Discovery and Development.

Date: November 4, 2016.

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: Joel Saydoff, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS/NIH/DHHS, Neuroscience Center, 6001 Executive Blvd., Suite 3204, MSC 9529, Bethesda, MD 20892–9529, 301–496–9223, *joel.saydoff@nih.gov.*

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel, Stroke Clinical Trials.

Date: November 8, 2016.

Time: 8:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Lorien Hotel and Spa, 1600 King Street, Alexandria, VA 22314.

Contact Person: Shanta Rajaram, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS/NIH/DHHS, Neuroscience Center, 6001 Executive Blvd., Suite 3204, MSC 9529, Bethesda, MD 20892–9529, 301–496–6033, *rajarams@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS)

Dated: October 5, 2016.

Sylvia L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2016–24520 Filed 10–11–16; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Advancing Translational Sciences; Notice of Closed Meeting

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 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 Advancing Translational Sciences Special Emphasis; Panel Conference Grants R13.

Date: November 2, 2016.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, One Democracy Plaza, Room 1066, 6701 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Barbara J. Nelson, Ph.D., Scientific Review Officer, Office of Scientific Review, National Center for Advancing Translational Sciences (NCATS), National Institutes of Health, 6701 Democracy Blvd., Democracy 1, Room 1080, Bethesda, MD 20892–4874, 301–435–0806, *nelsonbj@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.350, B—Cooperative Agreements; 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: October 5, 2016.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2016–24515 Filed 10–11–16; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Human Genome Research Institute; Notice of Closed Meeting

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 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: Center for Inherited Disease Research Access Committee.

Date: November 10, 2016

Time: 11:30 a.m. to 12:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Suite 3049, 5635 Fishers Lane, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Barbara J Thomas, Ph.D., Scientific Review Officer, Scientific Review Branch, National Human Genome Research Institute, National Institutes of Health, 5635 Fishers Lane, Ste. 4076, MSC 9306, Bethesda, MD 20892–9306, 301–402–0838, *barbara.thomas@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.172, Human Genome Research, National Institutes of Health, HHS)

Dated: October 5, 2016.

Sylvia L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2016–24516 Filed 10–11–16; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Drug Abuse; Notice of Closed Meeting

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 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 contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Drug Abuse Special Emphasis Panel; Preclinical Medications Discovery and Abuse Liability Testing for NIDA (8932).

Date: November 29, 2016.

Time: 10:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Lyle Furr, Scientific Review Officer, Office of Extramural Affairs, National Institute on Drug Abuse, NIH, DHHS, Room 4227, MSC 9550, 6001 Executive Boulevard, Bethesda, MD 20892–9550, (301) 435–1439, *lf33c.nih.gov.*

(Catalogue of Federal Domestic Assistance Program No.: 93.279, Drug Abuse and Addiction Research Programs, National Institutes of Health, HHS)

Dated: October 5, 2016.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2016–24519 Filed 10–11–16; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

United States Coast Guard (USCG)

[USCG–2016–0821]

Cook Inlet Regional Citizen's Advisory Council (CIRCAC) Charter Renewal

AGENCY: Coast Guard, DHS.

ACTION: Notice of Recertification.

SUMMARY: The purpose of this notice is to inform the public that the Coast Guard has recertified the Cook Inlet Regional Citizen's Advisory Council (CIRCAC) as an alternative voluntary advisory group for Cook Inlet, Alaska. This certification allows the CIRCAC to monitor the activities of terminal facilities and crude oil tankers under the Cook Inlet Program established by statute.

DATES: This recertification is effective for the period from September 1, 2016 through August 31, 2017.

FOR FURTHER INFORMATION CONTACT: LT Patrick Grizzle, Seventeenth Coast Guard District (dpi), by phone at (907) 463–2809, email *Patrick.J.Grizzle@uscg.mil* or by mail at P.O. Box 25517, Juneau, Alaska 99802.

SUPPLEMENTARY INFORMATION:

Background and Purpose

As part of the Oil Pollution Act of 1990, Congress passed the Oil Terminal and Oil Tanker Environmental Oversight and Monitoring Act of 1990 (the Act), 33 U.S.C. 2732, to foster a long-term partnership among industry, government, and local communities in overseeing compliance with environmental concerns in the operation of crude oil terminals and oil tankers.

On October 18, 1991, the President delegated his authority under 33 U.S.C 2732 (o) to the Secretary of Transportation in Executive Order 12777, section 8(g) (see 56 FR 54757; October 22, 1991) for purposes of certifying advisory councils, or groups, subject to the Act. On March 3, 1992, the Secretary re-delegated that authority to the Commandant of the USCG (see 57 FR 8582; March 11, 1992). The Commandant re-delegated that authority to the Chief, Office of Marine Safety, Security and Environmental Protection (G–M) on March 19, 1992 (letter #5402).

On July 7, 1993, the USCG published a policy statement, 58 FR 36504, to clarify the factors that shall be considered in making the determination as to whether advisory councils, or groups, should be certified in accordance with the Act.

The Assistant Commandant for Marine Safety and Environmental Protection (G–M), re-delegated recertification authority for advisory councils, or groups, to the Commander, Seventeenth Coast Guard District on February 26, 1999 (letter #16450).

On September 16, 2002, the USCG published a policy statement, 67 FR 58440, that changed the recertification procedures such that applicants are required to provide the USCG with comprehensive information every three years (triennially). For each of the two years between the triennial application procedures, applicants submit a letter requesting recertification that includes a description of any substantive changes to the information provided at the previous triennial recertification. Further, public comment is not solicited prior to recertification during streamlined years, only during the triennial comprehensive review.

On September 1, 2015, the Coast Guard recertified the Cook Inlet Regional Citizen's Advisory Council through August 31, 2016. Under the Oil Terminal and Oil Tanker Environmental Oversight Act of 1990 (33 U.S.C. 2732), the Coast Guard may certify, on an annual basis, an alternative voluntary advisory group for Cook Inlet, Alaska. This advisory group monitors the activities of terminal facilities and crude oil tankers under the Cook Inlet Program established by Congress, 33 U.S.C. 2732 (b).

Recertification

By letter dated August 19, 2016, the Commander, Seventeenth Coast Guard certified that the CIRCAC qualifies as an alternative voluntary advisory group under 33 U.S.C. 2732(o). This recertification terminates on August 31, 2017.

Dated: August 19, 2016.

M.F. Mcallister,

Rear Admiral, U.S. Coast Guard Commander, Seventeenth Coast Guard District.

[FR Doc. 2016–24643 Filed 10–11–16; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4280–DR]; [Docket ID FEMA–2016–0001]

Florida; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Florida (FEMA–4280–DR), dated September 28, 2016, and related determinations.

DATES: *Effective Date:* September 28, 2016.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated September 28, 2016, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Florida resulting from Hurricane Hermine during the period of August 31 to September 11, 2016, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Florida.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance and Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation and Other Needs Assistance will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford

Act for Public Assistance also will be limited to 75 percent of the total eligible costs, with the exception of projects that meet the eligibility criteria for a higher Federal cost-sharing percentage under the Public Assistance Alternative Procedures Pilot Program for Debris Removal implemented pursuant to section 428 of the Stafford Act.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Terry L. Quarles, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Florida have been designated as adversely affected by this major disaster:

Citrus, Dixie, Hernando, Hillsborough, Leon, Levy, Pasco, and Pinellas Counties for Individual Assistance.

Citrus, Dixie, Franklin, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Pasco, Pinellas, Suwannee, Taylor, and Wakulla Counties for Public Assistance.

All areas within the State of Florida are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2016–24628 Filed 10–11–16; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4280–DR]; [Docket ID FEMA–2016–0001]

Florida; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Florida (FEMA–4280–DR), dated September 28, 2016, and related determinations.

DATES: *Effective Date:* September 30, 2016.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Florida is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of September 28, 2016.

Alachua, Baker, Gilchrist, Manatee, Marion, Sarasota, Sumter, and Union Counties for Public Assistance.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2016–24629 Filed 10–11–16; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2016–0001]

Notice of Adjustment of Countywide Per Capita Impact Indicator

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: FEMA gives notice that the countywide per capita impact indicator under the Public Assistance program for disasters declared on or after October 1, 2016, will be increased.

DATES: Effective on October 1, 2016, and applies to major disasters declared on or after October 1, 2016.

FOR FURTHER INFORMATION CONTACT: Christopher Logan, Recovery Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–3834.

SUPPLEMENTARY INFORMATION: In assessing damages for area designations under 44 CFR 206.40(b), FEMA uses a countywide per capita indicator to evaluate the impact of the disaster at the county level. FEMA will adjust the countywide per capita impact indicator under the Public Assistance program to reflect annual changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

FEMA gives notice of an increase in the countywide per capita impact indicator to $3.61 for all disasters declared on or after October 1, 2016.

FEMA bases the adjustment on an increase in the Consumer Price Index for All Urban Consumers of 1.1 percent for the 12-month period that ended in August 2016. The Bureau of Labor Statistics of the U.S. Department of Labor released the information on September 16, 2016.

Catalog of Federal Domestic Assistance No. 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters).

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2016–24636 Filed 10–11–16; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2016–0001]

Notice of Maximum Amount of Assistance Under the Individuals and Households Program

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: FEMA gives notice of the maximum amount for assistance under the Individuals and Households Program for emergencies and major disasters declared on or after October 1, 2016.

DATES: *Effective Date:* October 1, 2016, and applies to emergencies and major disasters declared on or after October 1, 2016.

FOR FURTHER INFORMATION CONTACT: Christopher B. Smith, Recovery Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 212–1000.

SUPPLEMENTARY INFORMATION: Section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act), 42 U.S.C. 5174, prescribes that FEMA must annually adjust the maximum amount for assistance provided under the Individuals and Households Program (IHP). FEMA gives notice that the maximum amount of IHP financial assistance provided to an individual or household under section 408 of the Stafford Act with respect to any single emergency or major disaster is $33,300. The increase in award amount as stated above is for any single emergency or major disaster declared on or after October 1, 2016. In addition, in accordance with 44 CFR 61.17(c), this adjustment includes the maximum amount of available coverage under any Group Flood Insurance Policy (GFIP) issued.

FEMA bases the adjustment on an increase in the Consumer Price Index for All Urban Consumers of 1.1 percent for the 12-month period, which ended in August 2016. The Bureau of Labor Statistics of the U.S. Department of Labor released the information on September 16, 2016.

Catalog of Federal Domestic Assistance No. 97.048, Federal Disaster Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs.

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2016–24626 Filed 10–11–16; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2016–0027; OMB No. 1660–0114]

Agency Information Collection Activities: Proposed Collection; Comment Request; FEMA Preparedness Grants: Port Security Grant Program (PSGP)

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: The Federal Emergency Management Agency, 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 a revision of a currently approved information collection. In accordance with the Paperwork Reduction Act of 1995, this notice seeks comments concerning the information collection activities required to administer the Port Security Grant Program (PSGP).

DATES: Comments must be submitted on or before December 12, 2016.

ADDRESSES: To avoid duplicate submissions to the docket, please use only one of the following means to submit comments:

(1) *Online.* Submit comments at *www.regulations.gov* under Docket ID FEMA- 2016–0027. Follow the instructions for submitting comments.

(2) *Mail.* Submit written comments to Docket Manager, Office of Chief Counsel, DHS/FEMA, 500 C Street SW., 8NE., Washington, DC 20472–3100.

All submissions received must include the agency name and Docket ID. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy Act notice that is available via the link in the footer of *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Duane Davis, Section Chief, FEMA, Grant Programs Directorate, 202–680–4060, *duane.davis@fema.dhs.gov.* You may contact the Records Management Division for copies of the proposed collection of information at email address: *FEMA-Information-Collections-Management@fema.dhs.gov.*

SUPPLEMENTARY INFORMATION: Section 102 of the Maritime Transportation Security Act of 2002, as amended (46 U.S.C. 70107), established the PSGP to provide for the establishment of a grant program for a risk-based allocation of funds to implement Area Maritime Transportation Security Plans and facility security plans among port authorities, facility operators, and State and local government agencies required to provide port security services. Before awarding a grant under the program, the Secretary shall provide for review and comment by the appropriate Federal Maritime Security Coordinators and the Maritime Administrator. In administering the grant program, the Secretary shall take into account national economic and strategic defense concerns based upon the most current risk assessments available.'' In addition, any information collected by FEMA for this program is in accordance with 46 U.S.C. 70107(g), as amended by section 112(c) of the Security and Accountability For Every (SAFE) Port Act of 2006 (Pub. L. 109–347), which states: ''Any entity subject to an Area Maritime Transportation Security Plan may submit an application for a grant under this section, at such time, in such form, and containing such information and assurances as the Secretary may require.''

Collection of Information

Title: FEMA Preparedness Grants: Port Security Grant Program (PSGP).

Type of Information Collection: Revision of a currently approved information collection.

OMB Number: 1660–0114.

FEMA Forms: FEMA Form 089–5, PSGP Investment Justification.

Abstract: The previous version of FEMA Form 089–5 is outdated and has become cumbersome with subsequent program explanations within the notice of funding opportunity explaining the type of information required. The revised form consolidates the requested information and provides easy to follow drop-down boxes to minimize confusion among applicants, reducing time needed to collect the information for both applicants and FEMA, and reducing the review time by FEMA and federal partners.

Affected Public: State, Local or Tribal Government; Business or other for-profit.

Number of Respondents: 597.

Number of Responses: 1,223.

Estimated Total Annual Burden Hours: 17,154 hours.

Estimated Cost: The estimated annual cost to respondents for the hour burden is $1,094,112.60. There are no annual costs to respondents' operations and maintenance costs for technical services. There are no annual start-up or capital costs. The cost to the Federal Government is $770,401.

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) 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; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) 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.

Dated: October 5, 2016.

Richard W. Mattison,

Records Management Program Chief, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2016–24624 Filed 10–11–16; 8:45 am]

BILLING CODE 9111–46–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2016–0028; OMB No. 1660–0117]

Agency Information Collection Activities: Proposed Collection; Comment Request; FEMA's Grants Reporting Tool (GRT)

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: The Federal Emergency Management Agency, 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 an extension, without change, of a currently approved information collection. In accordance with the Paperwork Reduction Act of 1995, this notice seeks comments concerning the collection of information necessary for the Grants Reporting Tool (GRT).

DATES: Comments must be submitted on or before December 12, 2016.

ADDRESSES: To avoid duplicate submissions to the docket, please use only one of the following means to submit comments:

(1) *Online.* Submit comments at *www.regulations.gov* under Docket ID FEMA–2016–0028. Follow the instructions for submitting comments.

(2) *Mail.* Submit written comments to Docket Manager, Office of Chief Counsel, DHS/FEMA, 500 C Street SW., 8NE., Washington, DC 20472–3100.

All submissions received must include the agency name and Docket ID. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy Act notice that is available via the link in the footer of *www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Everett Yuille, Branch Chief, FEMA, Grant Programs Directorate, 202–510–3901. You may contact the Records Management Division for copies of the proposed collection of information at email address: *FEMA-Information-Collections-Management@fema.dhs.gov*.

SUPPLEMENTARY INFORMATION: Title 2 CFR, Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), establishes uniform administrative rules for assistance awards and sub-awards to State, local and Indian tribal governments. FEMA has determined that in order to have consistent implementation of FEMA grant administration policies, to reduce duplicative and tedious data entry, to more effectively measure preparedness gains, and to streamline application submission and management for Recipients, Regions, State and local partners, it is necessary to automate the reporting processes.

The Homeland Security Presidential Directive (HSPD–5) related to the ''Management of Domestic Incidents'' gives the Secretary the authority to gather information related to domestic incidents and mandates the Secretary provide standardized, quantitative reports on the readiness and preparedness of the Nation—at all levels of government—to prevent, prepare for, respond to, and recover from domestic incidents.

The Homeland Security Presidential Directive (HSPD–8) related to ''National Preparedness'' authorizes the Federal Government to deliver Federal preparedness awards to the States. Applicants must apply the funds to the highest priority preparedness requirements at the appropriate level of government. Federal preparedness assistance is based upon the adoption of statewide comprehensive all-hazards preparedness strategies, consistent with the national preparedness goal. HSPD–8 authorizes the Secretary to review and approve strategies submitted by the States and establishes the requirement that applicants must have adopted approved statewide strategies in order to receive Federal grant funds. Further, HSPD–8 authorizes Federal departments and agencies to develop appropriate mechanisms to ensure rapid obligation and disbursement of funds from their programs to the States, such as the Grants Reporting Tool (GRT). HSPD–8 mandates Federal departments and agencies report annually on the obligation, expenditure status, and the use of funds associated with Federal preparedness assistance programs.

Section 430 of the Homeland Security Act of 2002, as amended (6 U.S.C. 238), authorized the Office for Domestic Preparedness (ODP, which was transferred to FEMA by the Post Katrina Emergency Management Reform Act of 2006, Public Law 109–295) to have primary responsibility for national preparedness, including directing and supervising terrorism preparedness grant programs for emergency response providers and incorporating the Strategy priorities into planning guidance on an agency level for the overall national preparedness efforts. ODP (now FEMA) was authorized to develop a process for receiving meaningful input from State and local government to assist the development of the national strategy for combating terrorism and other homeland security activities.

Collection of Information

Title: FEMA's Grants Reporting Tool (GRT).

Type of Information Collection: Extension, without change, of a currently approved information collection.

OMB Number: 1660–0117.

FEMA Forms: None.

Abstract: The GRT is a web-based reporting system designed to help State Administrative Agencies (SAAs) meet all reporting requirements as identified in the grant guidance of FEMA's portfolio of preparedness grants sponsored by FEMA's Grant Programs Directorate (GPD). The information enables FEMA to evaluate applications and make award decisions, monitor ongoing performance and manage the flow of Federal funds, and to appropriately close out grants or cooperative agreements. GRT supports the information collection needs of each grant program processed in the system.

Affected Public: State, Local, or Tribal Government.

Number of Respondents: 56.

Number of Responses: 168.

Estimated Total Annual Burden Hours: 2,156 hours.

Estimated Cost: The estimated annual cost to respondents for the hour burden is $77,659.12. There are no annual costs to respondents' operations and maintenance costs for technical services. There are no annual start-up or capital costs. The cost to the Federal Government is $1,166,604.30.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) 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; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) 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.

Dated: October 5, 2016.

Richard W. Mattison,

Records Management Program Chief, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2016–24622 Filed 10–11–16; 8:45 am]

BILLING CODE 9111–46–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2016–0001]

Notice of Adjustment of Minimum Project Worksheet Amount

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: FEMA gives notice that the minimum Project Worksheet Amount under the Public Assistance program for disasters and emergencies declared on or after October 1, 2016, will be increased.

DATES: *Effective Date:* October 1, 2016, and applies to major disasters and emergencies declared on or after October 1, 2016.

FOR FURTHER INFORMATION CONTACT: Christopher Logan, Recovery Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–3834.

SUPPLEMENTARY INFORMATION: The Robert T. Stafford Disaster Relief and Emergency Assistance Act 42 U.S.C. 5121–5207 and 44 CFR 206.202(d)(2) provide that FEMA will annually adjust the minimum Project Worksheet amount under the Public Assistance program to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

FEMA gives notice of an increase to $3,100 for the minimum amount that will be approved for any Project Worksheet under the Public Assistance program for all major disasters and emergencies declared on or after October 1, 2016.

FEMA bases the adjustment on an increase in the Consumer Price Index for All Urban Consumers of 1.1 percent for the 12-month period that ended in August 2016. This is based on information released by the Bureau of Labor Statistics at the U.S. Department of Labor on September 16, 2016.

Catalog of Federal Domestic Assistance No. 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters).

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2016–24631 Filed 10–11–16; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2016–0001]

Notice of Adjustment of Statewide Per Capita Impact Indicator

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: FEMA gives notice that the statewide per capita impact indicator under the Public Assistance program for disasters declared on or after October 1, 2016, will be increased.

DATES: *Effective Date:* October 1, 2016, and applies to major disasters declared on or after October 1, 2016.

FOR FURTHER INFORMATION CONTACT: Christopher Logan, Recovery Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–3834.

SUPPLEMENTARY INFORMATION: 44 CFR 206.48 provides that FEMA will adjust the statewide per capita impact indicator under the Public Assistance program to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

FEMA gives notice that the statewide per capita impact indicator will be increased to $1.43 for all disasters declared on or after October 1, 2016.

FEMA bases the adjustment on an increase in the Consumer Price Index for All Urban Consumers of 1.1 percent for the 12-month period that ended in August 2016. The Bureau of Labor Statistics of the U.S. Department of Labor released the information on September 16, 2016.

Catalog of Federal Domestic Assistance No. 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters).

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2016–24634 Filed 10–11–16; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2016–0029; OMB No. 1660–0112]

Agency Information Collection Activities: Proposed Collection; Comment Request; FEMA Preparedness Grants: Transit Security Grant Program (TSGP)

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: The Federal Emergency Management Agency, 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 an extension, without change, of a currently approved information collection. In accordance with the Paperwork Reduction Act of 1995, this notice seeks comments concerning the information collection activities required to administer the FEMA Preparedness Grants: Transit Security Grant Program (TSGP) that focuses on transportation infrastructure protection activities.

DATES: Comments must be submitted on or before December 12, 2016.

ADDRESSES: To avoid duplicate submissions to the docket, please use only one of the following means to submit comments:

(1) *Online.* Submit comments at *www.regulations.gov* under Docket ID FEMA–2016–0029. Follow the instructions for submitting comments.

(2) *Mail.* Submit written comments to Docket Manager, Office of Chief Counsel, DHS/FEMA, 500 C Street SW., 8NE., Washington, DC 20472–3100.

All submissions received must include the agency name and Docket ID. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy Act notice that is available via the link in the footer of *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Paul Belkin, Branch Chief, FEMA, Grant Programs Directorate, 202–786–9771. You may contact the Records Management Division for copies of the proposed collection of information at email address: *FEMA-Information-Collections-Management@fema.dhs.gov.*

SUPPLEMENTARY INFORMATION: The Transit Security Grant Program (TSGP) is a FEMA grant program that focuses on transportation infrastructure protection activities. The collection of information for TSGP is mandated by Section 1406, Title XIV of the Implementing Recommendations of the 9/11 Commission Act of 2007, 6 U.S.C. 1135, which directs the Secretary to establish a program for making grants to eligible public transportation agencies for security improvements. Additionally, information is collected in accordance with Section 1406(c) of the Implementing Recommendations of the 9/11 Commission Act of 2007, 6 U.S.C. 1135(c), which authorizes the Secretary to determine the requirements for grant recipients, including application requirements. The program provides funds to owners and operators of transit systems (which include intra-city bus, commuter bus, and all forms of passenger rail) to protect critical surface transportation infrastructure and the traveling public from acts of terrorism, major disasters, and other emergencies.

Collection of Information

Title: FEMA Preparedness Grants: Transit Security Grant Program (TSGP).

Type of Information Collection: Extension, without change, of a currently approved information collection.

OMB Number: 1660–0112.

FEMA Forms: FEMA Form 089–4, TSGP Investment Justification Template.

Abstract: The TSGP is an important component of the Department of Homeland Security's effort to enhance the security of the Nation's critical infrastructure. The program provides funds to owners and operators of transit systems to protect critical surface transportation infrastructure and the traveling public from acts of terrorism, major disasters, and other emergencies.

Affected Public: State, Local, or Tribal Government.

Number of Respondents: 123.

Number of Responses: 246.

Estimated Total Annual Burden Hours: 5,043 hours.

Estimated Cost: The estimated annual cost to respondents for the hour burden is $208,981.92. There are no annual costs to respondents' operations and maintenance costs for technical services. There are no annual start-up or capital costs. The cost to the Federal Government is $774,018.00.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) 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; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) 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.

Dated: October 5, 2016.

Richard W. Mattison,

Records Management Program Chief, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2016–24621 Filed 10–11–16; 8:45 am]

BILLING CODE 9111–46–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2016–0001]

Notice of Adjustment of Disaster Grant Amounts

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: FEMA gives notice of an adjustment to the threshold for Small Project subgrants made to state, tribal, and local governments and private nonprofit facilities for disasters declared on or after October 1, 2016.

DATES: Effective Date: October 1, 2016, and applies to major disasters and emergencies declared on or after October 1, 2016.

FOR FURTHER INFORMATION CONTACT: Christopher Logan, Recovery Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–3834.

SUPPLEMENTARY INFORMATION: The Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5207, as amended by the Sandy Recovery Improvement Act, Public Law 113–2, provides that FEMA will

annually adjust the threshold for assistance provided under section 422, Simplified Procedures, relating to the Public Assistance program, to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

FEMA gives notice that $123,100 is the threshold for any Small Project subgrant made to state, tribal, and local governments or to the owner or operator of an eligible private nonprofit facility under section 422 of the Stafford Act for all major disasters or emergencies declared on or after October 1, 2016.

FEMA bases the adjustment on an increase in the Consumer Price Index for All Urban Consumers of 1.1 percent for the 12-month period that ended in August 2016. This is based on information released by the Bureau of Labor Statistics at the U.S. Department of Labor on September 16, 2016.

Catalog of Federal Domestic Assistance No. 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters).

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2016–24633 Filed 10–11–16; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4281–DR]; [Docket ID FEMA–2016–0001]

Iowa; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for State of Iowa (FEMA–4281–DR), dated September 29, 2016, and related determinations.

DATES: *Effective Date:* September 30, 2016.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, James N. Russo, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of David G. Samaniego as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2016–24627 Filed 10–11–16; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5913–N–32]

60-Day Notice of Proposed Information Collection: Housing Finance Agency Risk-Sharing Program

AGENCY: Office of the Assistant Secretary for Housing- Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* December 12, 2016.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Wendy N. Carter, Acting Director of Administration Division, Office of Multifamily Production, U.S. Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email Wendy Carter at *wendy.n.carter@hud.gov* or telephone 202–402–2546. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Housing Finance Agency Risk-Sharing Program.

OMB Approval Number: 2502–0500.

Type of Request: Renewal.

Form Number: HUD–27038, HUD–92080, HUD–9807, HUD–92426, HUD–94195, HUD–94193, HUD–94196, HUD–2744–A, HUD–2744–B, HUD–2744–C, HUD–2744–D, HUD–2744–E, HUD–94194, HUD–94192, SF–LLL, HUD–7015.15, HUD–7015.16.

Description of the need for the information and proposed use: Section 542 of the Housing and Community Development Act of 1992 directs the Secretary to implement risk sharing with State and local housing finance agencies (HFAs). Under this program, HUD provides full mortgage insurance on multifamily housing projects whose loans are underwritten, processed, and serviced by HFAs. The HFAs will reimburse HUD a certain percentage of any loss under an insured loan depending upon the level of risk the HFA contracts to assume.

Respondents: Business and other for profit.

Estimated Number of Respondents: 1200.

Estimated Number of Responses: 19,090.

Frequency of Response: Annually, semi-annually, and on-occasion.

Average Hours per Response: 1 hour to 40 hours.

Total Estimated Burden: 34,838.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(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;

(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 collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: October 3, 2016.

Janet M. Golrick,

Associate General Deputy Assistant Secretary for Housing-Associate Deputy Federal Housing Commissioner.

[FR Doc. 2016–24527 Filed 10–11–16; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5913–N–26]

60-Day Notice of Proposed Information Collection: Management Certifications and Management Entity Profile

AGENCY: Office of the Assistant Secretary for Housing- Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* December 12, 2016.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Harry Messner, Program Analyst, Office of Asset Management and Portfolio Oversight, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email *harry.messner@hud.gov* or telephone 202–402–2626. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Notice of submission of Proposed Information Collection to OMB; Management Certifications and Management Entity Profile.

OMB Approval Number: 2502–0305.

Type of Request: Currently approved collection.

Form Number: HUD–9832; HUD–9832a; HUD–9832b; HUD–9832c.

Description of the need for the information and proposed use: Owners of HUD-held, -insured, or subsidized multifamily housing projects must provide information for HUD's oversight of management agents/entities.

Respondents (*i.e.* affected public): Owners of HUD-held, -insured, or subsidized multifamily housing projects.

Estimated Number of Respondents: 3,017.

Estimated Number of Responses: 3,017.

Frequency of Response: Varies.

Average Hours per Response: Varies.

Total Estimated Burden: 3,488.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(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;

(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 collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: October 3, 2016.

Janet M. Golrick,

Associate General Deputy Assistant Secretary for Housing-Associate Deputy Federal Housing Commissioner.

[FR Doc. 2016–24530 Filed 10–11–16; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5913–N–31]

60-Day Notice of Proposed Information Collection: Section 202 Housing for the Elderly and Section 811 Housing for the Disabled

AGENCY: Office of the Assistant Secretary for Housing- Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* December 12, 2016.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street

SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Alicia Anderson, Branch Chief, New Grants & Funding, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email: *alicia.anderson@hud.gov* or telephone: 202–402–5787. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Section 202 Housing for Elderly and Section 811 Housing for Disabled.

OMB Approval Number: 2502–0470.

Type of Request: Extension of currently approved collection.

Form Number: HUD-: 2328; 2453.1–CA; 2530; 2554; 2880; 935.2; 9832; 9839–A; 9839–B; 9839–C; 51994; 90163–CA; 90163.1–CA; 90164–CA; 90165–CA; 90166–CA; 90166a–CA; 90167–CA; 90169–CA; 90169.1–CA; 90170–CA; 90171–CA; 90172–A–CA; 90172–B–CA; 90173–A–CA; 90173–B–CA; 90173–C–CA; 90175–CA; 90175.1–CA; 90176–CA; 90177–CA; 90178–CA; 90179–CA; 91732–A–CA; 92013; 92013–SUPP; 92264; 92330; 92330–A; 92329; 92331; 92403.1; 92403–CA; 92408–M; 92412–CA, 92433–CA; 92434–CA; 92435–CA; 92437; 92442–CA; 92442–A–CA; 92443–CA; 92448; 92450–CA; 92452; 92452a; 92452–CA; 92457; 92458; 92464; 92466–CA; 92466.1–CA; 92476–A; 92476–A–CA; 92485; 92580–CA; 93432–CA; 93479; 93480–CA; 93481; 93566–CA; 93566.1–CA; 27054; 50080–CAH, SF–425; SF–1199a; SF–LLL; and FM–1006.

Description of the need for the information and proposed use: This submission is to permit the continued processing of all Sections 202 and 811 capital advance projects that have not yet been finally closed. The submission includes processing of the application for firm commitment to final closing of the capital advance. It is needed to assist HUD in determining the Owner's eligibility and capacity to finalize the development of a housing project under the Section 202 and Section 811 Capital Advance Programs.

Respondents: Multifamily HUD-sponsored property owners.

Estimated Number of Respondents: 195.

Estimated Number of Responses: 7,809.

Frequency of Response: Occasion.

Average Hours per Response: 1 hour.

Total Estimated Burden: 8,348.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(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;

(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 collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: October 3, 2016.

Janet M. Golrick,

Associate General Deputy Assistant Secretary for Housing-Associate Deputy Federal Housing Commissioner.

[FR Doc. 2016–24528 Filed 10–11–16; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–HQ–R–2016–N175; FXRS126109HD000–167–FF09R23000]

Proposed Information Collection; Programmatic Clearance for U.S. Fish and Wildlife Service Social Science Research

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice; request for comments.

SUMMARY: We (U.S. Fish and Wildlife Service) will ask the Office of Management and Budget (OMB) to approve the information collection (IC) described below. As required by the Paperwork Reduction Act of 1995 and as part of our continuing efforts to reduce paperwork and respondent burden, we invite the general public and other Federal agencies to take this opportunity to comment on this IC. We 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.

DATES: To ensure that we are able to consider your comments on this IC, we must receive them by December 12, 2016.

ADDRESSES: Send your comments on the IC to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS BPHC, 5275 Leesburg Pike, Falls Church, VA 22041–3803 (mail); or *tina_campbell@fws.gov* (email). Please include ''1018–SS Programmatic'' in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this IC, contact Tina Campbell at *tina_campbell@fws.gov* (email) or 703–358–2676 (telephone).

SUPPLEMENTARY INFORMATION:

I. Abstract

The programmatic clearance applies to social science surveys, interviews, and focus groups designed to provide information to Service managers and practitioners to improve quality and utility of agency programs, services, and planning efforts. Data from collections undertaken through the proposed programmatic clearance would provide information for agency management, planning, and monitoring and evaluating the National Wildlife Refuge System (Refuge System) efforts generally and the Urban Wildlife Conservation Program specifically, as well as efforts of other Service programs. To ensure continuous improvement, Service activities and projects require ongoing systematic assessment of their design, implementation, and outcomes. The scope of this programmatic clearance includes individual surveys, focus groups, and interviews of refuge visitors, potential visitors, and residents of communities near Service-managed units, and stakeholders and partners, including tribal interests. We estimate that we will receive 20,333 responses to surveys at 20 minutes per survey; 833

responses to telephone surveys at 25 minutes per survey; 784 nonresponses at 5 minutes per survey; and 59 responses from focus groups at 1 hour per focus group annually.

Questions asked under the programmatic clearance must show a clear tie to Service management needs. The programmatic review may only be used for noncontroversial information collections that are unlikely to attract or include topics of significant public interest. OMB must approve all collections before we can collect the information.

II. Data

OMB Control Number: 1018–XXXX.

Title: Programmatic Clearance for U.S. Fish and Wildlife Service Social Science Research.

Service Form Number: None.

Type of Request: Request for a new OMB control number.

Description of Respondents: Persons visiting units managed by the Service; potential visitors, including ''virtual visitors'' who access content from a Service Web site; local community members; educators taking part in programs both on and off Service lands; government officials representing the local area, landowners, partners, stakeholders, and tribal interests.

Respondent's Obligation: Voluntary.

Frequency of Collection: On occasion.

Estimated Number of Annual Responses: 22,009.

Estimated Completion Time per Response: Varies from 5 minutes to 1 hour.

Estimated Annual Burden Hours: 7,249.

Estimated Annual Nonhour Burden Cost: None.

III. Comments

We invite comments concerning this information collection on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- The accuracy of our estimate of the burden for this collection of information;
- Ways to enhance the quality, utility, and clarity of the information to be collected; and
- Ways to minimize the burden of the collection of information on respondents.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this IC. 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.

Dated: October 5, 2016.

Tina A. Campbell,

Chief, Division of Policy, Performance, and Management Programs, U.S. Fish and Wildlife Service.

[FR Doc. 2016–24567 Filed 10–11–16; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Geological Survey

[GX17EN05ESB0500]

Announcement of Advisory Committee on Climate Change and Natural Resource Science Meeting

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice of meeting.

SUMMARY: In accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App. 2, we announce that the Advisory Committee on Climate Change and Natural Resource Science will hold a meeting.

DATES: *Meeting:* The meeting will be held as follows: Wednesday, November 9, 2016, from 8:30 a.m. to 5:00 p.m.; and Thursday, November 10, 2016 from 8:00 a.m. to 12:00 p.m. (All times Mountain Time Zone).

ADDRESSES: 1064 E Lowell St. Tucson, AZ 85721. The SW CSC is located on the campus of the University of Arizona in the ENR2 building. The November 9–10 meeting will be held in ENR2 S225.

FOR FURTHER INFORMATION CONTACT: Mr. Robin O'Malley, Designated Federal Officer, Policy and Partnership Coordinator, National Climate Change and Wildlife Science Center, U.S. Geological Survey, 12201 Sunrise Valley Drive, Mail Stop 516, Reston, VA 20192, *romalley@usgs.gov,* (703) 648–4086.

SUPPLEMENTARY INFORMATION: Chartered in May 2013, the Advisory Committee on Climate Change and Natural Resource Science (ACCCNRS) advises the Secretary of the Interior on the establishment and operations of the U.S. Geological Survey (USGS) National Climate Change and Wildlife Science Center (NCCWSC) and the Department of the Interior (DOI) Climate Science Centers (CSCs). ACCCNRS members represent the Federal Government, state and local governments, including state membership entities, non-governmental organizations, including those whose primary mission is professional/scientific and those whose primary mission is conservation and related scientific and advocacy activities, American Indian tribes and other Native American entities, academia, landowners, businesses, and organizations representing landowners or businesses. Duties of the committee include: (A) Advising on the contents of a national strategy identifying key science priorities to advance the management of natural resources in the face of climate change; (B) advising on the nature, extent, and quality of relations with and engagement of key partners at the regional/CSC level; (C) advising on the nature and effectiveness of mechanisms to ensure the identification of key priorities from management partners and to effectively deliver scientific results in useful forms; (D) advising on mechanisms that may be employed by the NCCWSC to ensure high standards of scientific quality and integrity in its products, and to review and evaluate the performance of individual CSCs, in advance of opportunities to re-establish expiring agreements; and (E) coordinating as appropriate with the Landscape Conservation Cooperatives Council. More information about the ACCCNRS is available at *https://nccwsc.usgs.gov/acccnrs.*

Meeting Agenda: The objectives of this meeting are to address NCCWSC + CSC strategic planning and the work of the SW CSC. A full final agenda will be posted on *https://nccwsc.usgs.gov/acccnrs* prior to the meeting.

Public Input: All Committee meetings are open to the public. Interested members of the public may present, either orally or through written comments, information for the Committee to consider during the public meeting. The public will have approximately 15 minutes to make comment on both Wednesday, November 9, 2016, from 4:00 p.m. to 4:15 p.m. and Thursday, November 10, 2016 from 11:00 p.m. to 11:15 p.m. (all times Mountain Time Zone), although interested parties should consult the final agenda to determine if these times have changed.

Individuals or groups requesting to make comment at the public Committee meeting will be limited to 2 minutes per speaker. The Committee will endeavor to provide adequate opportunity for all speakers, within available time limits. Speakers who wish to expand upon their oral statements, or those who had

wished to speak, but could not be accommodated during the public comment period, are encouraged to submit their comments in written form to the Committee after the meeting.

Written comments should be submitted, prior to, during, or after the meeting, to Mr. Robin O'Malley, Designated Federal Officer, by U.S. Mail to: Mr. Robin O'Malley, Designated Federal Officer, U.S. Geological Survey, 12201 Sunrise Valley Drive, Mail Stop 516, Reston, VA 20192, or via email, at *romalley@usgs.gov.*

The meeting location is open to the public. Space is limited, so all interested in attending should pre-register. Please submit your name, estimate time of arrival, email address and phone number to Kristen Donahue via email at *nccwsc@usgs.gov,* or phone at (703) 648–4087, by close of business on November 7, 2016. Persons with disabilities requiring special services, such as an interpreter for the hearing impaired, should also contact Kristen Donahue at least seven calendar days prior to the meeting. We will do our best to accommodate those who are unable to meet this deadline.

Robin O'Malley,

Designated Federal Officer.

[FR Doc. 2016–24569 Filed 10–11–16; 8:45 am]

BILLING CODE 4338–11–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–21929; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Fish and Wildlife Service, Alaska Region, Anchorage, AK

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The U.S. Fish and Wildlife Service, Alaska Region, Anchorage, AK (Alaska Region USFWS), has completed an inventory of human remains, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, including Alaska Native Tribes, and has determined that there is a cultural affiliation between the human remains and present-day Indian tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization, including Alaska Native Tribes, not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the Alaska Region USFWS. If no additional requestors come forward, transfer of control of the human remains to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Representatives of any Indian tribes or Native Hawaiian organizations, including Alaska Native Tribes, not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the Alaska Region USFWS at the address in this notice by November 14, 2016.

ADDRESSES: Edward J. DeCleva, Regional Archaeologist, U.S. Fish and Wildlife Service, Alaska Region, 1011 East Tudor Road, MS–235, Anchorage, AK 99503, telephone (907) 786–3399, email *Edward_decleva@fws.gov.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains under the control of the Alaska Region USFWS. The human remains were removed from Rat Island, AK.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the Alaska Region USFWS professional staff in consultation with representatives of the Native Village of Atka, Atxam am Corporation, and the Aleut Corporation.

History and Description of the Remains

In 1951, human remains representing, at minimum, one individual were removed from Rat Island, AK. In 1952, they were transferred to the University of Oregon Museum of Natural and Cultural History by Dr. H. Powers, USGS. It is likely that the remains were received under the oversight of Dr. William S. Laughlin, who was connected to the University of Oregon at that time, but there is no further information. No known individuals were identified. No funerary objects were recovered.

The Rat Islands were occupied by Native Aleuts from at least 6000 years ago until modern times. The label of the remains as ''Paleo-Aleut'' in accession records may reflect Dr. William Laughlin's opinion, based on skull morphology, that the remains represented a population preceding modern Aleut peoples, but this cannot be confirmed. The human remains are thought to represent an adult male, 35–45 years old. Skeletal analysis indicated an individual of Native American affiliation.

Determinations Made by the Alaska Region USFWS

Officials of the Alaska Region USFWS have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Native Village of Atka.

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to Edward J. DeCleva, Regional Archaeologist, U.S. Fish and Wildlife Service, Alaska Region, 1011 East Tudor Road, MS–235, Anchorage, AK 99503, telephone (907) 786–3399, email *Edward_decleva@fws.gov,* by November 14, 2016. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary objects to the Native Village of Atka may proceed.

The Alaska Region USFWS is responsible for notifying the Native Village of Atka, Atxam am Corporation, and the Aleut Corporation that this notice has been published.

Dated: September 26, 2016.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2016–24593 Filed 10–11–16; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–560–561 and 731–TA–1317–1328 (Final)]

Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey; Scheduling of the Final Phase of Countervailing Duty and Antidumping Duty Investigations

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of the final phase of antidumping and countervailing duty investigation Nos. 701–TA–560–561 and 731–TA–1317–1328 (Final) pursuant to the Tariff Act of 1930 (''the Act'') to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of carbon and alloy steel cut-to-length plate from Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey, provided for in subheadings 7208.40.30, 7208.40.60, 7208.51.00, 7208.51.00, 7208.52.00, 7208.53.00, 7208.90.00, 7210.70.30, 7210.90.90, 7211.13.00, 7211.14.00, 7211.19.15, 7211.19.20, 7211.19.45, 7211.19.60, 7211.19.75, 7211.90.00, 7212.40.10, 7212.40.50, 7212.50.00, 7214.10.00, 7214.30.00, 7214.91.00, 7225.11.00, 7225.19.00, 7225.40.11, 7225.40.30, 7225.40.51, 7225.40.70, 7225.99.00, 7226.11.10, 7226.11.90, 7226.19.10, 7226.19.90, 7226.20.00, 7226.91.05, 7226.91.15, 7226.91.15, 7226.91.25, 7226.91.50, 7226.91.70, 7226.91.80, and 7226.99.01, of the Harmonized Tariff Schedule of the United States.[1] The Department of Commerce has preliminarily determined such imports from China to be subsidized and such imports from Brazil, South Africa, and Turkey to be sold at less-than-fair-value.[2]

DATES: Effective September 16, 2016.

FOR FURTHER INFORMATION CONTACT: Carolyn Carlson (202–205–3002), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background.—The final phase of these investigations is being scheduled pursuant to sections 705(b) and 731(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b) and 1673d(b)), as a result of affirmative preliminary determinations by the Department of Commerce that certain benefits which constitute subsidies within the meaning of section 703 of the Act (19 U.S.C. 1671b) are being provided to manufacturers, producers, or exporters in China of carbon and alloy steel cut-to-length plate, and that such products from Brazil, South Africa, and Turkey are being sold in the United States at less than fair value within the meaning of section 733 of the Act (19 U.S.C. 1673b).[3] The investigations were requested in petitions filed on April 8, 2016, by ArcelorMittal USA LLC (Chicago, Illinois), Nucor Corporation (Charlotte, North Carolina), and SSAB Enterprises, LLC (Lisle, Illinois).

For further information concerning the conduct of this phase of the investigations, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Participation in the investigations and public service list.—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of these investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigations need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on November 15, 2016, and a public version will be issued thereafter, pursuant to section 207.22 of the Commission's rules.

[1] For purposes of these investigations, the Department of Commerce (''Commerce'') has defined the subject merchandise as certain carbon and alloy steel hot-rolled or forged flat plate products not in coils, whether or not painted, varnished, or coated with plastics or other non-metallic substances (cut-to-length plate). Subject merchandise includes plate that is produced by being cut-to-length from coils or from other discrete length plate and plate that is rolled or forged into a discrete length. The products covered include (1) Universal mill plates (*i.e.,* flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 mm but not exceeding 1250 mm, and of a thickness of not less than 4 mm, which are not in coils and without patterns in relief), and (2) hot-rolled or forged flat steel products of a thickness of 4.75 mm or more and of a width which exceeds 150 mm and measures at least twice the thickness, and which are not in coils, whether or not with patterns in relief. The covered products described above may be rectangular, square, circular or other shapes and include products of either rectangular or non-rectangular cross-section where such non-rectangular cross-section is achieved subsequent to the rolling process, *i.e.,* products which have been ''worked after rolling'', (*e.g.,* products which have been beveled or rounded at the edges). For a full description of Commerce's scope, *see Certain Carbon and Alloy Steel Cur-to-Length Plate from Austria, Belgium, Brazil, the People's Republic of China, France, the Federal Republic of Germany, Italy, Japan, the Republic of Korea, the Republic of South Africa, Taiwan, and Turkey: Scope Comments Decision Memorandum for the Preliminary Determinations,* U.S. International Trade Commission, September 6, 2016.

[2] On September 13, 2016, Commerce published its preliminary affirmative countervailing duty determination on imports from China (81 FR 62871, September 13, 2016). On September 14, 2016, Commerce published its preliminary negative countervailing duty determination on imports from Korea (81 FR 63168, September 14, 2016). On September 16, 2016, Commerce notified the Commission regarding its preliminary affirmative antidumping duty determinations on imports from Brazil, South Africa, and Turkey (Letter to Chairman Irving A. Williamson from Christian Marsh, International Trade Administration, U.S. Department of Commerce, September 16, 2016).

[3] *See* footnote 2.

Hearing.—The Commission will hold a hearing in connection with the final phase of these investigations beginning at 10:00 a.m. on Wednesday, November 30, 2016, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before November 23, 2016. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should participate in a prehearing conference to be held on November 29, 2016, at the U.S. International Trade Commission Building, if deemed necessary. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules; the deadline for filing is November 22, 2016. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is December 7, 2016. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations, including statements of support or opposition to the petition, on or before December 7, 2016. On December 22, 2016, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before December 28, 2016, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on E-Filing,* available on the Commission's Web site at *https://edis.usitc.gov,* elaborates upon the Commission's rules with respect to electronic filing.

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

Issued: October 5, 2016.

By order of the Commission.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2016–24566 Filed 10–11–16; 8:45 am]

BILLING CODE 7020–02–P

JUDICIAL CONFERENCE OF THE UNITED STATES

Meeting of the Judicial Conference Advisory Committee on Rules of Bankruptcy Procedure

AGENCY: Judicial Conference of the United States, Advisory Committee on Rules of Bankruptcy Procedure.

ACTION: Notice of Open Meeting.

SUMMARY: The Advisory Committee on Rules of Bankruptcy Procedure will hold a meeting on November 14, 2016. The meeting will be open to public observation but not participation. An agenda and supporting materials will be posted at least 7 days in advance of the meeting at: *http://www.uscourts.gov/rules-policies/records-and-archives-rules-committees/agenda-books.*

DATES: November 14, 2016; 9:00 a.m.–5:00 p.m.

ADDRESSES: Thurgood Marshall Federal Judiciary Building, Mecham Conference Center, Administrative Office of the United States Courts, One Columbus Circle NE., Washington, DC 20544.

FOR FURTHER INFORMATION CONTACT: Rebecca A. Womeldorf, Rules Committee Secretary, Rules Committee Support Office, Administrative Office of the United States Courts, Washington, DC 20544, telephone (202) 502–1820.

Dated: October 5, 2016.

Rebecca A. Womeldorf,

Rules Committee Secretary.

[FR Doc. 2016–24542 Filed 10–11–16; 8:45 am]

BILLING CODE 2210–55–P

JUDICIAL CONFERENCE OF THE UNITED STATES

Hearings of the Judicial Conference Advisory Committee on the Federal Rules of Appellate Procedure

AGENCY: Advisory Committee on the Federal Rules of Appellate Procedure, Judicial Conference of the United States.

ACTION: Notice of cancellation of public hearing.

SUMMARY: The following public hearing on proposed amendments to the Federal Rules of Appellate Procedure has been canceled: Appellate Rules Hearing on October 17, 2016, in Washington, DC. Announcement for this meeting was previously published in 81 FR 52713.

FOR FURTHER INFORMATION CONTACT: Rebecca A. Womeldorf, Rules Committee Secretary, Rules Committee Support Office, Administrative Office of the United States Courts, Washington, DC 20544, telephone (202) 502–1820.

Dated: October 5, 2016.

Rebecca A. Womeldorf,

Rules Committee Secretary.

[FR Doc. 2016–24541 Filed 10–11–16; 8:45 am]

BILLING CODE 2210–55–P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[Docket No. ATF 2016R–11]

International Trade Data System Test—Voluntary Export Pilot Project

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: Notice.

SUMMARY: Along with other agencies, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) will participate in a U.S. Customs and Border Protection (CBP) pilot test of the International Trade Data System (ITDS), using electronic processing of export data through the Automated Export System (AES) which is accessed within CBP's Automated Commercial

Environment (ACE). ACE, the primary system through which exporters transmit export data for the clearance of cargo, automates manual processes, eliminates paper, and helps exporters efficiently comply with laws and regulations. Exporters of National Firearms Act (NFA) firearms, which include machineguns, silencers and destructive devices, may use the ACE portal, to submit data via the AES*Direct* system. Participation in the pilot test is voluntary.

The pilot test will allow participating exporters to submit forms, such as the ATF Form 9, Application and Permit for Permanent Exportation of Firearms, and information to CBP electronically to obtain CBP certification of exportation. CBP will validate that information, and electronically transmit export information to agencies (including ATF) to satisfy CBP's certification requirements. The pilot test seeks to streamline this part of the export process. Information on ATF's rules and regulations, and answers to commonly asked questions, can be found on the agency's Web site: *http://www.atf.gov*.

DATES: Interested exporters of NFA firearms, which include machineguns, silencers and destructive devices, may participate in the pilot test throughout the duration of the pilot. This pilot will begin upon publication of this notice, and will continue until concluded by publication of a notice ending it. Interested parties with ATF questions should contact Gary Schaible, whose contact information is found below.

FOR FURTHER INFORMATION CONTACT: Gary Schaible, Industry Liaison Analyst, Firearms and Explosives Services Division, Office of Enforcement Programs and Services; Bureau of Alcohol, Tobacco, Firearms and Explosives; U.S. Department of Justice; 99 New York Avenue NE., Room 6N521, Washington, DC 20226; telephone: (202) 648–7165; email *Exports-HelpDesk@atf.gov*. For technical questions regarding ACE or the AES data transmission, please contact your assigned CBP client representative. Interested parties without an assigned client representative should submit an email to Steven Zaccaro at *steven.j.zaccaro@cbp.dhs.gov*.

SUPPLEMENTARY INFORMATION: In compliance with Executive Order 13659, Streamlining the Export/Import Process for America's Businesses (79 FR 10657, Feb. 25, 2014), ATF intends to join CBP's pilot test upon publication of this notice. ATF encourages the voluntary participation of U.S. exporters of NFA firearms, which include machineguns, silencers and destructive devices. The NFA (Title 26, United States Code, Chapter 53) and the implementing regulations in Title 27, Code of Federal Regulations, Part 479 require any person desiring to export a firearm without payment of transfer tax to apply for a permit (ATF Form 9, Application and Permit for Permanent Exportation of Firearms). The approval provides for deferment of tax liability. The exporter is then required to furnish to ATF evidence of the exportation of the firearm(s) within a six-month's period of the date of issuance of the permit to relieve the tax liability. A satisfactory means of documentation of exportation is for CBP to execute the certificate of exportation (Part 3 of Form 9) and send a copy of the executed certificate to ATF. This pilot program will allow CBP to transmit the certificate to ATF electronically rather than by mail. The exporter will continue to apply on Form 9 for the permit.

Exporters who wish to participate in this pilot test must have an ACE Portal Account to be able to file the relevant data electronically via AES Direct. Information regarding an ACE Portal Account can be found at *https://www.cbp.gov/trade/automated/getting-started/using-ace-secure-data-portal*. Additional information is available at *https://www.cbp.gov/trade/automated/getting-started*.

ATF data elements include ATF Category Code, Federal Firearms License (FFL) Number, FFL Exemption Code, Control Number, Control Number Exemption Code, Quantity, and Optional Description Field. CBP will validate that information, and electronically transmit CBPs certification of exportation to ATF. Regarding appropriate data elements, CBP stipulates that ''Electronic Export Information'' is the electronic export data as filed in the Automated Export System (AES). This data is the electronic equivalent of the export data formerly collected as Shipper's Export Declaration (SED) information. For additional information, ATF refers exporters to CBP's AES Technical Information page at *https://www.cbp.gov/trade/aes*.

All data submitted and entered into ACE is subject to the Trade Secrets Act (18 U.S.C. 1905) and is considered confidential, except to the extent as otherwise provided by law. As stated in previous notices, however, the submitter's participation in this or any of the previous ACE tests is not confidential and upon a written Freedom of Information Act request, the name(s) of an approved participant(s) will be disclosed by CBP in accordance with 5 U.S.C. 552.

This pilot test will begin upon publication of this notice, and will continue until concluded by publication of a notice ending it.

Approved: October 5, 2016.

Thomas E. Brandon,

Deputy Director.

[FR Doc. 2016–24639 Filed 10–11–16; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Air Act

On October 6, 2016, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Columbia in the lawsuit entitled *United States* v. *Detroit Diesel Corporation,* Civil Action No. 1:16–cv–01982.

The government's complaint alleges that Detroit Diesel violated the Clean Air Act by introducing into commerce 7,786 heavy-duty diesel engines for use in trucks and buses in model year 2010 without a valid EPA-issued certificate of conformity demonstrating conformance with Clean Air Act standards to control nitrogen oxide (NO_X) emissions. The complaint also alleges that the engines did not conform to emission standards applicable to model year 2010 engines.

The Consent Decree requires Detroit Diesel to spend $14.5 million on mitigation projects to reduce NO_X emissions and other pollutants, including replacing high-polluting diesel school buses and locomotive engines with models that meet current emissions standards. Detroit Diesel will also pay a civil penalty of $14 million.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States* v. *Detroit Diesel Corporation,* D.J. Ref. No. 90–5–2–1–10557. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: *https://www.justice.gov/enrd/consent-decrees.* We will provide a paper copy of the Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $13.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Karen Dworkin,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2016–24645 Filed 10–11–16; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

Division of Federal Employees' Compensation; Proposed Extension of Existing Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Office of Workers' Compensation Programs is soliciting comments concerning the proposed collection: Claim for Reimbursement of Benefit Payments and Claims Expense Under the War Hazards Compensation Act (CA–278). A copy of the proposed information collection request can be obtained by contacting the office listed below in the addresses section of this Notice.

DATES: Written comments must be submitted to the office listed in the addresses section below on or before December 12, 2016.

ADDRESSES: Ms. Yoon Ferguson, U.S. Department of Labor, 200 Constitution Ave. NW., Room S–3201, Washington, DC 20210, telephone/fax (202) 354–9647, Email *ferguson.yoon@dol.gov.* Please use only one method of transmission for comments (mail, fax, or Email).

SUPPLEMENTARY INFORMATION:

I. Background

The Office of Workers' Compensation Programs (OWCP) is the federal agency responsible for administration of the War Hazards Compensation Act (WHCA), 42 U.S.C. 1701 *et seq.* Under section 1704(a) of the WHCA, an insurance carrier or self-insured who has paid workers' compensation benefits to or on account of any person for a war-risk hazard may seek reimbursement for benefits paid (plus expenses) out of the Employment Compensation Fund for the Federal Employees' Compensation Act (FECA) at 5 U.S.C. 8147. Form CA–278 is used by insurance carriers and the self-insured to request reimbursement. The information collected is used by OWCP staff to process requests for reimbursement of WHCA benefit payments and claims expense that are submitted by insurance carriers and self-insureds. The information is also used by OWCP to decide whether it should opt to pay ongoing WHCA benefits directly to the injured worker. This information collection is currently approved for use through December 31, 2016.

II. Review Focus

The Department of Labor is particularly interested in comments which:

* 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;

* 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 submissions of responses.

III. Current Actions

The Department of Labor seeks extension of approval to collect this information in order to carry out its responsibility to reimburse insurance carriers and self-insureds who meet the statutory requirements of the War Hazards Compensation Act (WHCA) for reimbursement.

Type of Review: Extension.

Agency: Office of Workers' Compensation Programs.

Title: Claim for Reimbursement of Benefit Payments and Claims Expense Under the War Hazards Compensation Act.

OMB Number: 1240–0006.

Agency Number: CA–278.

Affected Public: Business or other for-profit.

Total Respondents: 345.

Total Responses: 345.

Estimated Total Burden Hours: 173.

Total Burden Cost (capital/startup): $0.

Total Burden Cost (operating/maintenance): $542.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: October 4, 2016.

Yoon Ferguson,

Agency Clearance Officer, Office of Workers' Compensation Programs, U.S. Department of Labor.

[FR Doc. 2016–24632 Filed 10–11–16; 8:45 am]

BILLING CODE 4510–CH–P

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

Sunshine Act Meetings

TIME AND DATE: 8:15 a.m. to 3:30 p.m., Thursday, October 27, 2016.

PLACE: The offices of the Morris K. Udall and Stewart L. Udall Foundation, 130 South Scott Avenue, Tucson, AZ 85701.

STATUS: This meeting of the Board of Trustees will be open to the public.

MATTERS TO BE CONSIDERED: (1) Call to Order & Chair's Remarks; (2) Executive Director's Remarks; (3) Distribution of Summary of Ethics Requirements; (4) Consent Agenda Approval (Minutes of the November 6, 2015, February 10, 2016, and April 22, 2016, Board of Trustees Meetings; Board Reports submitted for Education Programs, Finance and Management, Udall Center for Studies in Public Policy-Native Nations Institute-Udall Archives & their

Workplan, and U.S. Institute for Environmental Conflict Resolution; and resolutions regarding Allocation of Funds to the Udall Center for Studies in Public Policy and Transfer of Funds to the Native Nations Institute for Leadership, Management, and Policy); and (5) a 2018–2022 Strategic Planning Session.

CONTACT PERSON FOR MORE INFORMATION: Philip J. Lemanski, Executive Director, 130 South Scott Avenue, Tucson, AZ 85701, (520) 901–8500.

Dated: October 7, 2016.

Elizabeth E. Monroe

Executive Assistant, Morris K. Udall and Stewart L. Udall Foundation, and Federal Register Liaison Officer.

[FR Doc. 2016–24784 Filed 10–7–16; 4:15 pm]

BILLING CODE 6820–FN–P

NUCLEAR REGULATORY COMMISSION

[EA–16–201; Docket Nos. 07007015, 0402259, 11005864, 11005211, 11006019; License Nos. SNM–2015, SUA–672, XSNM3643, XSOU8780, XSNM3722; NRC–2016–0210]

In the Matter of AREVA Enrichment Services, LLC, AREVA, Inc.; Order Approving Change of Control of Licenses and Conforming Amendments

AGENCY: Nuclear Regulatory Commission.

ACTION: Order; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing an Order approving a request, submitted by AREVA Inc., seeking the NRC's consent to the following license transfers: (1) The indirect transfer of control of special nuclear material (SNM) License SNM–2015, regarding the Eagle Rock Enrichment Facility, that authorizes the future construction and operation of this uranium enrichment facility in Bonneville County, Idaho, (2) the direct transfer of control of source material License SUA–672, regarding the former Lucky Mc uranium mill, and its existing tailings site, in Fremont County, Wyoming, and (3) the direct transfer of control of Export Licenses XSNM3643, XSNM3722, and XSOU8780. In addition, AREVA Inc. requested approval of conforming license amendments to reflect the new names of AREVA corporate entities associated with the license transfers due to the reorganization of the AREVA family of companies. AREVA Inc. also requested NRC confirmation that the proposed reorganization would not involve any transfer of control of Construction Authorization (CA) Number CAMOX–001, for the MOX Fuel Fabrication Facility that is being constructed on a site near Aiken, South Carolina.

DATES: The Order was issued on September 30, 2016.

ADDRESSES: Please refer to Docket ID NRC–2016–0210 when contacting the NRC about the availability of information for this action. 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–2016–0210. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For questions about the Order, 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 available in ADAMS) is provided the first time that a document is referenced in 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: Osiris Siurano-Perez, Office of Nuclear Material Safety and Safeguards, telephone: 301–415–7827, email: *Osiris.Siurano-Perez@nrc.gov;* Nuclear Regulatory Commission, Washington, DC, 20555–0001.

SUPPLEMENTARY INFORMATION: The text of the Order is attached.

Dated at Rockville, Maryland, this 30th day of September 2016.

For the Nuclear Regulatory Commission.

Marc L. Dapas,

Director, Office of Nuclear Material Safety and Safeguards.

UNITED STATES OF AMERICA

U.S. NUCLEAR REGULATORY COMMISSION

In the Matter of AREVA Enrichment Services, LLC, AREVA, Inc.; EA–16–201; Docket Nos. 07007015, 0402259, 11005864, 11005211, 11006019; License Nos. SNM–2015, SUA–672, XSNM3643, XSOU8780, XSNM3722

ORDER APPROVING CHANGE OF CONTROL OF LICENSES AND CONFORMING AMENDMENTS

I.

Pursuant to Part 70 of Title 10 of the *Code of Federal Regulations* (10 CFR), AREVA Enrichment Services, LLC (AES), is the holder of U.S. Nuclear Regulatory Commission (NRC) special nuclear material (SNM) license SNM–2015, which authorizes the licensee to construct and operate a gas centrifuge uranium enrichment facility in Bonneville County, Idaho.

Pursuant to 10 CFR part 40, AREVA Inc., is the holder of NRC source material license SUA–672 that pertains to the former Lucky Mc uranium mill and its existing tailings site in Fremont County, Wyoming. The site is currently in reclamation status and is in the final stages of being transferred to the U.S. Department of Energy for long-term care in accordance with Title II of the Uranium Mill Tailings Radiation Control Act and its implementing regulations in 10 CFR 40.28.

Pursuant to 10 CFR part 110, AREVA Inc., is also the holder of NRC export licenses XSNM3643 and XSNM3722, which authorize the licensee to export SNM to South Africa and the Netherlands, respectively, in solid form. AREVA Inc. also holds NRC export license XSOU8780, which authorizes the licensee to export natural uranium to the Netherlands in the form of uranium hexafluoride.

II.

By letter dated July 25, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16207A715), as supplemented by information provided via electronic communication dated September 4, 2016 (ADAMS Accession No. ML16259A096); two letters dated August 22, 2016 (ADAMS Accession Nos. ML16239A127 and ML16239A148); letter dated August 23, 2016 (ADAMS Accession No. ML16239A157); and letter dated

September 16, 2016 (ADAMS Accession No. ML16263A305), AREVA Inc. requested that the NRC consent to: (1) The indirect transfer of control of the SNM–2015 license, for the Eagle Rock Enrichment Facility (EREF) to be built in Bonneville County, Idaho. This license is currently held by AES, which, after the completion of the reorganization of the AREVA family of companies will be renamed AREVA Nuclear Materials, LLC; (2) the direct transfer of control of the SUA–672 license, regarding the Lucky Mc tailings site in Fremont County, Wyoming, from AREVA Inc., to AREVA Nuclear Materials, LLC; (3) the direct transfer of control of the XSOU8780 export license from AREVA Inc., to AREVA Nuclear Materials, LLC; and (4) the direct transfer of control of the XSNM3643 and XSNM3722 export licenses from AREVA Inc., to a new AREVA corporate entity called TN Americas, LLC. In addition, AREVA Inc. requested approval of conforming amendments to reflect the new name of the licensee for the EREF (AREVA Nuclear Materials, LLC) and for the Lucky Mc tailings site (AREVA Nuclear Materials, LLC). AREVA Inc.'s July 25, 2016, submittal also includes a request that the NRC confirm that the proposed reorganization would not involve any transfer of control of construction authorization (CA) number CAMOX–001 (for the mixed oxide (MOX) Fuel Fabrication Facility) that would need the NRC's prior consent pursuant to 10 CFR 70.36. Specifically in this regard, AREVA Inc.'s submittal states that it owns a minority, 30 percent (30%), non-controlling interest in CB&I AREVA MOX Services, LLC (MOX Services), which holds CAMOX–001. AREVA Inc.'s ownership interests in MOX Services would be transferred to AREVA Nuclear Materials, LLC, and the submittal further states that this proposed transfer would not affect CB&I's controlling 70 percent (70%) interest in MOX Services. AREVA Inc.'s request for the NRC's consent to transfer licenses was submitted pursuant to Section 184 of the Atomic Energy Act of 1954, as amended (the AEA), and the NRC's implementing regulations in 10 CFR 40.46, 70.36, and 10 CFR 110.51.

A notice of the proposed action was published in the **Federal Register** on September 8, 2016 (81 FR 62180), and included (1) a notice of opportunity to request a hearing, and (2) a notice of opportunity to submit written comments. No requests for a hearing were submitted in response to this notice.

Pursuant to 10 CFR 40.46 and 70.36, no license issued or granted under these provisions, nor any right thereunder, shall be transferred, assigned, or in any manner disposed of, directly or indirectly, through transfer of control of any license, to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the AEA, and gives its consent in writing.

Pursuant to 10 CFR 110.50(d), an export license may be transferred, disposed of, or assigned to another person only with the approval of the Commission by license amendment.

Pursuant to 10 CFR 110.51(a)(1), an application requesting amendment of an export license shall be filed on NRC Form 7, ''*Application for NRC Export or Import License, Amendment, Renewal or Consent Request(s),''* in accordance with 10 CFR 110.31 and 110.32, and must specify the grounds for the requested amendment.

The Commission will approve an application for the direct or indirect transfer of a license if the Commission determines that the proposed transfer will not affect the qualifications of the licensee to hold the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto. After review of the information in AREVA Inc.'s request dated July 25, 2016, as supplemented by the information described above, and relying on AREVA Inc.'s statements and representations contained in its request, the NRC staff has determined that the proposed license transfers are acceptable and consistent with the AEA and the applicable regulations specified above. The NRC staff has further determined that requests for the proposed conforming license amendments comply with the standards and requirements of the AEA, and the NRC's regulations set forth in 10 CFR Chapter I. The transfers of control of the licenses and issuance of the conforming license amendments will not be inimical to the common defense and security, or to the health and safety of the public, or the environment, and all applicable requirements have been satisfied. This Order, and the findings set forth above, are supported by an NRC staff safety evaluation report (SER), which is available in ADAMS under Accession No. ML16264A306.

III

Accordingly, pursuant to Sections 161b, 161i, and 184 of the AEA (42 U.S.C. 2201(b), 2201(i), and 2234); and 10 CFR 40.46, 70.36, and 110.51(a)(1), IT IS HEREBY ORDERED that AREVA Inc.'s application regarding the transfers of control of the licenses, as described herein, be approved, subject to the following conditions:

1. Within 30 days after the transfer of the license for the EREF has been completed, AES (i.e., AREVA Nuclear Materials, LLC after the reorganization is completed and implemented) must report to the NRC any changes affecting foreign ownership, control or influence issues. AES (to be re-named AREVA Nuclear Materials, LLC) holds a facility security clearance and is required, pursuant to 10 CFR 95.19, to update or affirm its standard practice procedures plan every 5 years. This update is due in March 2017.

2. To ensure that the NRC is timely notified of the transfers' completion, at least one (1) business day prior to closing AREVA Inc. shall inform the Director, Office of Nuclear Material Safety and Safeguards, in writing, of the date of closing of the indirect transfer of the SNM–2015 license for the EREF, the direct transfer of the SUA–672 license for the Lucky Mc mill tailings site, and the direct transfers of the export licenses XSNM3643, XSNM3722, and XSOU8780.

IT IS FURTHER ORDERED that the conforming license amendments regarding the license transfers shall be issued after the above conditions have been satisfied, and such amendments will be effective at the time the proposed transfer of licenses is completed.

IT IS FURTHER ORDERED that, should the pending corporate restructuring not be completed by January 1, 2017, this Order shall become null and void, provided, however, that the Director, Office of Nuclear Material Safety and Safeguards, may relax or rescind, in writing, any of the above conditions upon a demonstration of good cause by AREVA, Inc.

This Order is effective upon issuance.

For further details with respect to this Order, see the initial application dated July 25, 2016; AREVA Inc.'s subsequent submittals dated August 22, 2016, August 23, 2016, September 4, 2016, and September 16, 2016; and the SER that supports this action. These documents are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Room O1–F21, 11555 Rockville Pike (first floor), Rockville, MD 20852, and available online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* For problems with ADAMS, please contact the NRC's PDR reference staff at 1–800–397–4209, 301–415–4737, or by e-mail to *pdr.resource@nrc.gov.*

Dated at Rockville, Maryland, this 30th day of September 2016.

For the Nuclear Regulatory Commission.

Marc L. Dapas,

Director, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2016–24598 Filed 10–11–16; 8:45 am]

BILLING CODE 7590–01–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: *Effective date:* October 12, 2016.

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 October 5, 2016, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 246 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2017–2, CP2017–2.

Stanley F. Mires,

Attorney, Federal Compliance.

[FR Doc. 2016–24562 Filed 10–11–16; 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: *Effective date:* October 12, 2016.

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 October 5, 2016, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 247 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2017–3, CP2017–3.

Stanley F. Mires,

Attorney, Federal Compliance.

[FR Doc. 2016–24560 Filed 10–11–16; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express, Priority Mail, & 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: *Effective date:* October 12, 2016.

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 October 5, 2016, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Express, Priority Mail, & First-Class Package Service Contract 11 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2017–4, CP2017–4.

Stanley F. Mires,

Attorney, Federal Compliance.

[FR Doc. 2016–24558 Filed 10–11–16; 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: *Effective date:* October 12, 2016.

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 October 5, 2016, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 245 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2017–1, CP2017–1.

Stanley F. Mires,

Attorney, Federal Compliance.

[FR Doc. 2016–24561 Filed 10–11–16; 8:45 am]

BILLING CODE 7710–12–P

PRESIDIO TRUST

Notice of Renewal of the Charter of the Presidio Institute Advisory Council

AGENCY: The Presidio Trust.

ACTION: Notice of renewal of the charter of the Presidio Institute Advisory Council.

SUMMARY: Pursuant to the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), the Chief Executive Officer of the Presidio Trust announces the intent to renew the charter of the Presidio Institute Advisory Council (''Council''). The Council was formed to advise the Chief Executive Officer of the Presidio Trust (''Trust'') on matters pertaining to the rehabilitation and reuse of Fort Winfield Scott as a new national center focused on service and leadership development.

SUPPLEMENTARY INFORMATION: The Trust's Chief Executive Officer, in consultation with the Chair of the Board of Directors, has determined that the Council is in the public interest and supports the Trust in performing its duties and responsibilities under the Presidio Trust Act, 16 U.S.C. 460bb appendix.

The Council will continue to advise on the establishment of a new national center (''Presidio Institute'') focused on service and leadership development, with specific emphasis on: (a) Assessing the role and key opportunities of a national center dedicated to service and leadership at Fort Scott in the Presidio of San Francisco; (b) providing recommendations related to the Presidio Institute's programmatic goals, target audiences, content, implementation and evaluation; (c) providing guidance on a phased development approach that leverages a combination of funding sources including philanthropy; and (d) making recommendations on how to structure the Presidio Institute's business model to best achieve the

Presidio Institute's mission and ensure long-term financial self-sufficiency.

FOR FURTHER INFORMATION CONTACT: Additional information is available online at *http://www.presidio.gov/institute/about/Pages/advisory-council.aspx.*

Dated: October 5, 2016.

Andrea M. Andersen,

Acting General Counsel.

[FR Doc. 2016–24585 Filed 10–11–16; 8:45 am]

BILLING CODE 4310–4R–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–79047; File No. SR–Phlx–2016–96]

Self-Regulatory Organizations; NASDAQ PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Options Floor Procedure Advice F–1, Entitled ''Use of Identification Letters and Numbers.''

October 5, 2016.

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 23, 2016, NASDAQ PHLX LLC (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III, 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.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Options Floor Procedure Advice F–1, entitled ''Use of Identification Letters and Numbers.''

The text of the proposed rule change is available on the Exchange's Web site at *http://nasdaqphlx.cchwallstreet.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 Exchange proposes to amend Options Floor Procedure Advice (''OFPA'') F–1, entitled ''Use of Identification Letters and Numbers'' to eliminate the current fine schedule. Pursuant to this OFPA F–1, today, all Specialists, ROTs, and Floor Brokers must use the complete alpha/numeric identification assigned by the Exchange. Specifically, all Floor Brokers or their employees must indicate their complete alpha/numeric identifiers on the Options Floor Broker Management System (''FBMS'') for each order they receive and represent in the trading crowd. The FMBS system is automated and requires this field to be completed before the transaction may be submitted. These numbers are important because they represent the parties to the particular transaction for purposes of audit trail, clearance and settlement of that transaction. This information is submitted to The Options Clearing Corporation at the end of the day to complete the back-office portion of the transaction. The information is available to and reviewed by both parties to the transaction. The Exchange currently has a fine schedule for violations of OFPA F–1 as follows:

FINE SCHEDULE

[Implemented on a two-year running calendar basis]

1st Occurrence	$250.00.
2nd Occurrence	$500.00.
3rd Occurrence	$1,000.00.
4th Occurrence and Thereafter	Sanction is discretionary with Business Conduct Committee.

The Exchange notes that the violations of this rule today consist of inadvertent failures to include the requisite alpha/numeric identification.[3] These errors are corrected post-trade, by end of day by the party in error. The Floor Brokers receive inter-day reports which allow them to review this information and determine if any errors occurred. Also, the contra-party to the transaction may alert the Floor Broker that an error occurred. The Exchange notes that where errors have been identified through surveillance, it has not witnessed any manipulative conduct, rather the error was an inadvertent data entry error, which was subsequently corrected.

By way of background, the Exchange notes that when the floor operated with more manual procedures and inter-day reports were not available, these types of error occurred with more frequency. The Exchange at that time employed a greater number of staff employees on the Exchange floor when the population on the floor was also at greater numbers. The amount of time that staff was devoted to assisting with these types of errors placed an administrative burden on the Exchange and presented an administrative cost to the Exchange to employ staff to assist with clerical errors. The fine at that time was justified to prevent a greater number of violations and also to support the amount of regulatory resources that were required to surveil for such violations and assist in the correction of errors.

Today, the automated processes and inter-day reports alleviate many of the issues that previously existed, including the burden on staff to correct errors. The Exchange does not believe that a single error necessitates the imposition of a $250.00 fine, for example, where a data entry error occurred and was corrected by the firm.

The Exchange proposes to eliminate the current fine schedule and instead

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] For example in 2016, the Exchange statistically had .00004% of violations of this minor rule. In 2015, the Exchange statistically had .00003% of violations of this minor rule.

review for patterns and practices of manipulative conduct. The Exchange will continue to review, as it does today, for instances where a party to a trade did not enter the complete or an accurate identifier. Also, the Exchange would continue to bring violations of this rule before the Business Conduct Committee and suggest appropriate fines given the facts and circumstances surrounding current and previous violations of the minor rule. Today, the Exchange has the ability to bring any violations before the Business Conduct Committee.[4] The disciplinary rules provide for a process by which the Exchange will discipline members for violations of its rules and the process for hearings.[5] The Exchange's focus is to prevent abusive or manipulative patterns and practices of violations of OFPA F–1 and also prevent repeated abuse of this rule. The Exchange intends to continue to surveil and discipline its members for violations of this rule.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act[6] in general, and furthers the objectives of Section 6(b)(5) of the Act[7] in particular, in that it is designed to promote just and equitable principles of trade, 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, by continuing to enforce violations of rules governing the marking of orders.

Proper identification of orders protects investors and the public interest. In cases where human error occurred and a member failed to include the requisite alpha/numeric identification or submitted an incorrect alpha/numeric identification, such information may be corrected post-trade. The Exchange will continue to enforce the proper identification on each trade. Regulatory staff will monitor violations of such rule and bring cases before the Business Conduct Committee where a pattern or practice of violation of such rule exists and suggest appropriate fines given the facts and circumstances surrounding current and previous violations of the minor rule. Today, the Exchange has the ability to bring any violations before the Business Conduct Committee.[8]

The Exchange is concerned with the entry of accurate trading information which identifies counter-parties to each trade. The trading system requires such information for each transaction. The automated process combined with the surveillance of such information, as well as counter-party transparency to the information, ensure that the audit trail is accurate and complete. The Exchange understands that human error may occur from time to time and that members have the ability to and do correct such information prior to the end of the day. Given all of these circumstances, the proposal is consistent with the Act because it will continue to ensure that the information is maintained accurately and also discipline members that fail to consistently abide by this rule.

The Exchange believes it is consistent with the Act and protects investors and the general public to amend the rule to bring disciplinary actions where a pattern or practice of violating OFPA F–1 exists versus multiple fines for each individual violation. The Exchange notes that it has not observed a large number of these violations. Where a number of violations have occurred or where there has been manipulative activity in the entry of such trade information, these actions will be brought by the Regulatory group to the Business Conduct Committee for further action. The Exchange will enumerate the facts and circumstances surrounding the violations and present an appropriate sanction in light of the circumstances to the Business Conduct Committee.

This filing is non-controversial because the Exchange will continue to regulate members for violations of Rule OFPA F–1, albeit in a slightly different matter. The result may be the imposition of the same fines by the Business Conduct Committee.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that no undue burden on competition arises with this rule change as the rule will be uniformly applied to all members. The Exchange will continue to monitor the activity of all members, and where a number of violations has occurred or where there has been manipulative activity in the entry of such trade information, these actions will be brought by the Regulatory group to the Business Conduct Committee for further action.

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

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) 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)(iii) of the Act[9] and subparagraph (f)(6) of Rule 19b–4 thereunder.[10]

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,

[4] Any member, member organization, or any partner, officer, director or person employed by or associated with any member or member organization (the Respondent) who is alleged to have violated or aided and abetted a violation of the Securities Exchange Act of 1934 (Exchange Act), the rules and regulations thereunder, the by-laws and Rules of the Exchange or any interpretation thereof, and the Rules, Regulations, resolutions and stated policies of the Board of Directors or any Committee of the Exchange, shall be subject to the disciplinary jurisdiction of the Exchange, and after notice and opportunity for a hearing may be appropriately disciplined by expulsion, suspension, fine, censure, limitation or termination as to activities, functions, operations, or association with a member or member organization, or any other fitting sanction in accordance with the provisions of these disciplinary Rules. *See* Phlx Rule 960.1(a). Further, whenever the staff of the Exchange has a reasonable basis to believe that a violation within the disciplinary jurisdiction of the Exchange has occurred, a written report shall be submitted to the Business Conduct Committee specifying the violations which are believed to have occurred and those facts which gave rise to these violations. *See* Phlx Rule 960.2(d).

[5] *See* Phlx Rules 960–970.

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(5).

[8] *See* note 4 above.

[9] 15 U.S.C. 78s(b)(3)(A)(iii).

[10] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file 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. The Exchange has satisfied this requirement.

including whether the proposed rule 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–Phlx–2016–96 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–Phlx–2016–96. 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–Phlx–2016–96 and should be submitted on or before November 2, 2016.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Brent J. Fields,

Secretary.

[FR Doc. 2016–24572 Filed 10–11–16; 8:45 am]

BILLING CODE 8011–01–P

[11] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–79051; File No. SR–NYSE–2016–55]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Designation of a Longer Period for Commission Action on Proposed Rule Change Adopting Maximum Fees Member Organizations May Charge in Connection With the Distribution of Investment Company Shareholder Reports Pursuant to Any Electronic Delivery Rules Adopted by the Securities and Exchange Commission

October 5, 2016.

On August 15, 2016, New York Stock Exchange (''NYSE'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to adopt maximum fees NYSE member organizations may charge in connection with the distribution of investment company shareholder reports pursuant to any notice and access delivery rules adopted by the Commission. The proposed rule change was published for comment in the **Federal Register** on August 22, 2016.[3] The Commission received fourteen comment letters on the proposal.[4]

Section 19(b)(2) of the Act[5] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day for this filing is October 6, 2016.

The Commission is extending the 45-day time period for Commission action on the proposed rule change. The Commission finds that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the Exchange's proposal, as described above. Accordingly, pursuant to Section 19(b)(2) of the Act,[6] and for the reason noted above, the Commission designates November 20, 2016, as the date by which the Commission shall either approve or disapprove or institute proceedings to determine whether to disapprove the proposed rule change (File No. SR–NYSE–2016–55).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Brent J. Fields,

Secretary.

[FR Doc. 2016–24576 Filed 10–11–16; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 78589 (August 16, 2016), 81 FR 56717.

[4] *See* letters to Brent J. Fields, Secretary, Commission from: James R. Rooney, Chief Financial Officer and Treasurer, Aril Investment Trust, dated September 8, 2016; Mortimer J. Buckley, Chief Investment Officer, Vanguard, dated September 12, 2016; Barbara Novick, Vice Chairman, and Benjamin Archibald, Managing Director, BlackRock, Inc., dated September 12, 2016; Charles V. Callan, SVP Regulatory Affairs, Broadridge Financial Solutions, Inc., dated September 12, 2016; John Zerr, Managing Director and General Counsel, Invesco Advisers, Inc., dated September 12, 2016; Amy B.R. Lancellotta, Managing Director, Independent Directors Council, dated September 12, 2016; David G. Booth, President and Co-Chief Executive Officer, Dimensional Fund Advisers LP, dated September 12, 2016; David W. Blass, General Counsel, Investment Company Institute, dated September 12, 2016; Darrell N. Braman, Vice President & Managing Counsel, T. Rowe Price Associates, Inc., dated September 12, 2016; Mark N. Polebaum, Executive Vice President and General Counsel, MFS Investment Management, dated September 12, 2016; Thomas E. Faust Jr., Chairman and Chief Executive Officer, Eaton Vance Corp., dated September 12, 2016; Ellen Greene, Managing Director, Securities Industry and Financial Markets Association, dated September 15, 2016; Christopher O. Petersen, President, Columbia Mutual Funds, Columbia Threadneedle Investments, dated September 15, 2016 (''Columbia Letter''); and Rodney D. Johnson, Chairman, The Independent Directors of the Blackrock Equity-Liquidity Funds, dated September 27, 2016 (''Blackrock Directors Letter'').

[5] 15 U.S.C. 78s(b)(2).

[6] *Id.*

[7] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–79056; File No. SR–NYSEMKT–2016–62]

Self-Regulatory Organizations; NYSE MKT LLC; Order Granting Approval of Proposed Rule Change Amending Section 146 of the NYSE MKT Company Guide To Adjust the Entitlement to Services of Special Purpose Acquisition Companies

October 6, 2016.

I. Introduction

On August 2, 2016, NYSE MKT LLC (''NYSE MKT'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities

Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend Section 146 of the NYSE MKT Company Guide (''Company Guide'') to adjust the entitlement to services of special purpose acquisition companies. The proposed rule change was published in the **Federal Register** on August 22, 2016.[3] The Commission received no comments on the proposal. This order grants approval of the proposed rule change.

II. Description of the Proposal

The Exchange proposed to amend Section 146 of the Company Guide to adjust the service entitlements of special purpose acquisition companies (''SPACs'') under that rule. In its filing, the Exchange stated that a SPAC is a special purpose company formed for the purpose of effecting a merger, capital stock exchange, asset acquisition, stock purchase, reorganization or similar business combination with one or more operating businesses or assets.[4] The Exchange further stated that to qualify for initial listing, a SPAC must meet one of the quantitative standards in Section 101 or 102 of the Company Guide and must also meet the SPAC-specific requirements of Section 119 of the Company Guide.[5] Pursuant to Section 119(b) of the Company Guide, within 36 months of the effectiveness of a SPAC's initial public offering registration statement, or such shorter period that the company specifies in its registration statement, the company must complete one or more business combinations having an aggregate fair market value of at least 80% of the value of the deposit account (excluding any deferred underwriter's fees and taxes payable on the income earned on the deposit account) at the time of the agreement to enter into the initial combination (the condition set forth in Section 119(b) is referred to as the ''Business Combination Condition''). Under Section 119 of the Company Guide, among other things, a SPAC must also meet the requirements for initial listing after it meets the Business Combination Condition.

As set forth in Section 146 of the Company Guide, the Exchange offers complimentary products and services for a period of 24 calendar months from the date of initial listing to a category of listed companies defined as ''Eligible New Listings.'' Under the current rule, Eligible New Listings include: (i) Any U.S. company that lists common stock on the Exchange for the first time and any non-U.S. company that lists an equity security on the Exchange under Section 101 or 110 of the Company Guide for the first time, regardless of whether such U.S. or non-U.S. company conducts an offering; (ii) any U.S. or non-U.S. company that transfers its listing of common stock or equity securities, respectively, to the Exchange from another national securities exchange; or (iii) any U.S. or non-U.S. company emerging from a bankruptcy, spinoff (where a company lists new shares in the absence of a public offering), and carve-out (where a company carves out a business line or division, which then conducts a separate initial public offering).

Currently, pursuant to Section 146 of the Company Guide, Eligible New Listings are entitled to receive Web-hosting products and services (with a commercial value of approximately $16,000 annually), web-casting services (with a commercial value of approximately $6,500 annually), whistleblower hotline services (with a commercial value of approximately $4,000 annually), news distribution products and services (with a commercial value of approximately $20,000 annually) and corporate governance tools (with a commercial value of approximately $15,000 annually) for a period of 24 calendar months from the date of initial listing on the Exchange. Notwithstanding the foregoing, however, if an Eligible New Listing begins to use a particular product or service provided for under Section 146 within 30 days of its initial listing date, the complimentary period begins on the date of first use.

The Exchange has now proposed to amend Section 146 of the Company Guide to provide that a SPAC will no longer be deemed to be an Eligible New Listing at the time of its initial listing, and instead will be deemed to be an Eligible New Listing at such time as it has completed the Business Combination Condition, if it remains listed thereafter on the Exchange. Thus, under the proposal, a SPAC will no longer be eligible to receive complimentary products and services under Section 146 at the time of its initial listing, but will instead be entitled to receive such products and services if and when it meets the Business Combination Condition. A SPAC that remains listed on the Exchange after meeting the Business Combination Condition will be entitled to the complimentary products and services under Section 146 for a period of 24 months from the date on which it meets the Business Combination Condition. Notwithstanding the foregoing, however, if such a company begins to use a particular product or service provided for under Section 146 within 30 days of meeting the Business Combination Condition, the complimentary period for that product or service will begin on the date of first use.

III. Discussion and Commission's Findings

The Commission has carefully reviewed the proposed rule change and finds that it is consistent with the requirements of Section 6 of the Act.[6] Specifically, the Commission believes it is consistent with the provisions of Sections 6(b)(4) and (5) of the Act,[7] in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among Exchange members, issuers, and other persons using the Exchange's facilities, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. Moreover, the Commission believes that the proposed rule change is consistent with Section 6(b)(8) of the Act [8] in that it does not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

The Commission believes that it is consistent with the Act for the Exchange to adjust the timing of when SPACs are eligible to receive complimentary products and services under Section 146 of the Company Guide from the time of initial listing to the period immediately after meeting the Business Combination Condition. The Exchange represented that SPACs are unlikely to utilize these complimentary products and services at the time of initial listing, but would likely find these products and services useful if they remain listed after they meet the Business Combination Condition.[9] The Exchange explained that at the time of initial listing, SPACs

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 78586 (August 16, 2016), 81 FR 56720 (''Notice'').

[4] *Id.* at 56721.

[5] *Id.* Section 119(a) of the Company Guide requires that at least 90% of the gross proceeds from the SPAC's initial public offering and any concurrent sale by the SPAC of equity securities must be deposited in a trust account maintained by an independent trustee, an escrow account maintained by an ''insured depository institution,'' as that term is defined in Section 3(c)(2) of the Federal Deposit Insurance Act, or in a separate bank account established by a registered broker or dealer (collectively, a ''deposit account''). For the full set of requirements to list a SPAC, *see* Section 119 of the Company Guide.

[6] 15 U.S.C. 78f. In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[7] 15 U.S.C. 78f(b)(4) and (5).

[8] 15 U.S.C. 78f(b)(8).

[9] *See* Notice, *supra* note 3, 81 FR at 56721.

are typically not focused on their stock price and investor relations to the same degree as operating companies.[10] The Exchange stated that the complimentary products and services provided under Section 146 are targeted in large part toward the market-driven concerns of newly-listed operating companies, and are therefore less useful to SPACs that have not met the Business Combination Condition.[11] The Exchange stated that a SPAC that has met the Business Combination Condition, on the other hand, is similarly situated to a newly-formed publicly-traded operating company.[12] Therefore, the Exchange said that it believes that the complimentary products and services provided under Section 146 will be as relevant and attractive to a SPAC that has met the Business Combination Condition as to the newly-listed operating companies that are generally eligible for those services.[13]

In addition, the Exchange stated that in many cases SPACs will consider transferring to a new listing venue at the time they meet the Business Combination Condition, and that the proposed rule change will enable the Exchange to compete for the retention of these companies by offering them a package of complimentary products and services that assist their transition to becoming a publicly listed operating company for the first time.[14]

The Exchange also stated that it recognizes that not all SPACs will meet the Business Combination Condition and that some listed SPACs will therefore never become eligible for the complimentary products and services under Section 146 that would be provided to an otherwise similarly qualified operating company.[15] However, the Exchange reiterated that, given the specific characteristics of the SPAC structure, the complimentary products and services provided under Section 146 are generally not of any particular value to a SPAC prior to meeting the Business Combination Condition, and the Exchange therefore believes that those SPACs that never meet the Business Combination Condition and therefore never qualify for the products and services under Section 146 will not suffer any meaningful detriment as a consequence.[16]

As noted in the previous order approving Section 146 of the Company Guide, Section 6(b)(5) of the Act does not require that all issuers be treated the same; rather, the Act requires that the rules of an Exchange not unfairly discriminate between issuers.[17] In its proposal, the Exchange has made representations that reasonably justify treating a SPAC that decides to continue to list on the Exchange after meeting the Business Combination Condition similar to a newly-listed operating company. In addition, when listed as a SPAC, the SPAC will also be eligible to receive complementary products through the Exchange's Market Access Center similar to all listed companies.[18] The Commission further notes that a SPAC that completes the Business Combination Condition will be receiving the same package of services as an Eligible New Listing [19] and that it will not be receiving any additional benefits or services by virtue of the proposed rule change. The Commission has previously found that the package of complimentary products and services offered to Eligible New Listings is equitably allocated among issuers consistent with Section 6(b)(4) of the Act and that describing the values of the products and services will add greater transparency to the Exchange's rules and to the fees applicable to such companies.[20] The Commission also previously noted that describing in the Company Guide the products and services available to listed companies and their associated values will ensure that individual listed companies are not given specially negotiated packages of products or services to list or remain listed that would raise unfair discrimination issues under the Act.[21] Based on the foregoing, the Commission believes that the Exchange has provided a sufficient basis for adjusting the timing of when SPACs are eligible to receive the additional complimentary products and services, set forth under Section 146, from the time of a SPAC's initial listing to the period immediately after a SPAC meets the Business Combination Condition, and that this change does not unfairly discriminate among issuers and is therefore consistent with the Act. For similar reasons, and as the value of the services offered are not changing, only the timing of when such services are provided to a SPAC, we find that the proposal is consistent with Section 6(b)(4) of the Act.

The Commission also believes that it is consistent with the Act for the Exchange to allow the complimentary period for a particular service to begin on the date of first use if a SPAC that has met the Business Combination Condition begins to use the service within 30 days after the date of meeting the Business Combination Condition. The Exchange stated in its filing that, in its experience, it will often take companies a period of time to review and complete necessary contracts and training for the complimentary products and services under Section 146 following their becoming eligible for those services and that allowing this modest 30 day period, if the company needs it, will help to ensure that the company will have the benefit of the full period permitted under the rule to actually use the services, thereby enabling companies to receive the full intended benefit.[22] The Commission notes that Section 146 currently allows an Eligible New Listing to begin using services within 30 days of its initial listing date.[23] As noted in the Previous Order, the Commission believes that this would provide only a short window of additional time to allow companies to finalize their contracts for the complimentary products and services. The Commission notes that under the proposed rule this additional 30 day window would only be available to SPACs that have determined to remain listed on the Exchange after meeting the Business Combination Condition and thereby treats such SPACs, at the time they qualify for listing as an operating company, the same as other newly-listed companies that qualify as Eligible New Listings under Section 146.[24]

The Commission believes that the Exchange is responding to competitive pressures in the market for listings in making this proposal. Specifically, the Exchange has represented that in many cases, SPACs will consider transferring to a new listing venue at the time they meet the Business Combination Condition, and that the proposed rule

[10] *Id.* The Exchange stated in its filing that SPACs raise money on a one-time basis and typically trade at a price that is very close to their liquidation value. *Id.*

[11] *Id.*

[12] *Id.*

[13] *Id.*

[14] *Id.* at 56722.

[15] *Id.*

[16] *Id.*

[17] 15 U.S.C. 78f(b)(5); *see also* Securities Exchange Act Release No. 77401 (March 17, 2016), 81 FR 15585 (March 23, 2016) (approving NYSEMKT–2016–12) (''Previous Order'').

[18] *See* Section 146 of the Company Guide; *see also* Previous Order, *supra* note 17, footnotes 11–12 and accompanying text.

[19] *See* Section 119 of the Company Guide, requiring, among other things, that a SPAC meet the requirements for initial listing after it meets the Business Combination Condition just as is required for other Eligible New Listings.

[20] *See* Previous Order, *supra* note 17, at 15586.

[21] *Id.*

[22] *See* Notice, *supra* note 3, 81 FR at 56722.

[23] *See* Previous Order, *supra* note 17.

[24] The Commission expects the Exchange to track the start (and end) date of each free service.

change would enable it to compete for the retention of these companies by offering them a package of complimentary products and services that assist their transition to being a publicly listed operating company for the first time.[25] Further, the Commission notes that other exchanges have recently filed similar rule changes with respect to the timing of complementary services offered to SPACs under their rules.[26] The Commission also notes that nothing in the Exchange's rules requires a SPAC to remain listed on the Exchange after it meets the Business Combination Condition and that such company is free to list on other markets. Accordingly, the Commission believes that the proposed rule reflects the current competitive environment for exchange listings among national securities exchanges, and is appropriate and consistent with Section 6(b)(8) of the Act.[27]

V. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[28] that the proposed rule change (SR–NYSEMKT–2016–62) be, and it hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[29]

Brent J. Fields,

Secretary.

[FR Doc. 2016–24608 Filed 10–11–16; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–79049; File No. SR–Nasdaq–2016–120]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Designation of a Longer Period for Commission Action on Proposed Rule Change To Adopt the Third Party Connectivity Service Under Rules 7034(b) and 7051

October 5, 2016.

On August 16, 2016, the Nasdaq Stock Market LLC (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to adopt the Third Party Connectivity Service under Rules 7034(b) and 7051.

The proposed rule change was published for comment in the **Federal Register** on September 2, 2016.[3] The Commission received one comment in response to the proposal.[4] The Exchange responded to the comment on October 4, 2016.[5]

Section 19(b)(2) of the Act[6] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is October 17, 2016. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so as to allow sufficient time to consider the issues raised in the Bats Letter and NASDAQ Response. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[7] designates December 1, 2016, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–Nasdaq–2016–120).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[8]

Brent J. Fields,

Secretary.

[FR Doc. 2016–24574 Filed 10–11–16; 8:45 am]

BILLING CODE 8011–01–P

[25] *See* Notice, *supra* note 3, 81 FR at 56722.

[26] *See* Securities Exchange Act Release No. 78782 (September 7, 2016), 81 FR 62937 (September 13, 2016) (SR–NYSE–2016–58) and Securities Exchange Act Release No. 79025 (October 3, 2016) (SR–NASDAQ–2016–106).

[27] 15 U.S.C. 78f(b)(8).

[28] 15 U.S.C. 78s(b)(2).

[29] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 78713 (August 29, 2016), 81 FR 60768.

[4] *See* letter from Eric Swanson, Esq., General Counsel, Bats Global Markets, Inc., to Brent J. Fields, Secretary, Securities and Exchange Commission, dated September 12, 2016 (''Bats Letter'').

[5] *See* letter from Jeffrey S. Davis, Vice President and General Counsel, NASDAQ Stock Market LLC, to Brent J. Fields, Secretary, Securities and Exchange Commission, dated October 4, 2016 (''NASDAQ Response'').

[6] 15 U.S.C. 78s(b)(2).

[7] *Id.*

[8] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold a closed meeting on Thursday, October 13, 2016 at 2 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

The General Counsel of the Commission, or her designee, has certified that, in her opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(7), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matter at the closed meeting.

Commissioner Piwowar, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the closed meeting will be:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Adjudicatory matters; and

Other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed; please contact Brent J. Fields from the Office of the Secretary at (202) 551–5400.

Dated: October 6, 2016.

Brent J. Fields,

Secretary.

[FR Doc. 2016–24732 Filed 10–7–16; 11:15 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–79048; File No. SR–MIAX–2016–35]

Self-Regulatory Organizations; Miami International Securities Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 503 Openings on the Exchange and Rule 603 Obligations of Market Makers

October 5, 2016.

Pursuant to the provisions of 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 23, 2016, Miami International Securities Exchange LLC (''MIAX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I, II, and III 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.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend Exchange Rule 503, Openings on the Exchange; and Rule 603, Obligations of Market Makers, to adopt new Interpretations and Policies .01 to each existing rule.

The text of the proposed rule change is available on the Exchange's Web site at *http://www.miaxoptions.com/filter/wotitle/rule_filing,* at MIAX's principal office, 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.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Exchange Rule 503, Openings on the Exchange, to adopt new Interpretations and Policies .01 to state that if the Primary Lead Market Maker (''PLMM'') [3] assigned in a particular equity option class has not submitted valid width quotes in any series of such class within one minute following the dissemination of a quote or trade by the market for the underlying security and the affected series of such class has opened for trading within such one minute period, such failure to submit valid width quotes will not be considered a violation of Rule 503(e)(5) by the Primary Lead Market Maker, unless the PLMM demonstrates a pattern or practice of not submitting valid width quotes within one minute following the dissemination of a quote or trade by the market for the underlying security, irrespective of whether the series have opened for trading. Additionally, the Exchange proposes to amend Exchange Rule 603, Obligations of Market Makers, to adopt new Interpretations and Policies .01 to state that if the Primary Lead Market Maker assigned in a particular equity option class has not submitted valid width quotes in any series of such class within one minute following the dissemination of a quote or trade by the market for the underlying security if the affected series of such class have opened for trading within such one minute period, such failure to submit valid width quotes will not be considered a violation of Rule 603(c) by the Primary Lead Market Maker, unless the PLMM demonstrates a pattern or practice of not submitting valid width quotes within one minute following the dissemination of a quote or trade by the market for the underlying security, irrespective of whether the series have opened for trading.

To open a series for trading the Exchange employs an automated Opening Process [4] which begins after a pause for a period of time no longer than one half second following the dissemination of a quote or trade in the market for the underlying security when any one of three separate sets of criteria is met: The first requires that a PLMM's valid width quote [5] has been submitted; [6] the second requires that valid width quotes of at least two Market Makers, where at least one is a Lead Market Maker, have been submitted; [7] the third,[8] applicable to multiply listed option classes, requires that at least one Eligible Exchange (as defined in Rule 1400(f)) [9] has disseminated a quote in the individual option in accordance with Rule 1402(a),[10] there is a valid width NBBO available and the valid width quote of at least one Lead Market Maker has been submitted. If any one of these criteria can be satisfied, the opening process will begin.[11]

The requirement that a PLMM enter valid width quotes not later than one minute following the dissemination of a quote or trade by the market for the underlying security is intended to ensure that the option class is opened

[3] The term ''Market Makers'' refers to ''Lead Market Makers'', ''Primary Lead Market Makers'' and ''Registered Market Makers'' collectively. The term ''Lead Market Maker'' means a Member registered with the Exchange for the purpose of making markets in securities traded on the Exchange and that is vested with the rights and responsibilities specified in Chapter VI of the Exchange's Rules with respect to Lead Market Makers. When a Lead Market Maker is appointed to act in the capacity of a Primary Lead Market Maker, the additional rights and responsibilities of a Primary Lead Market Maker specified in Chapter VI of the Exchange's Rules will apply. The term ''Primary Lead Market Maker'' means a Lead Market Maker appointed by the Exchange to act as the Primary Lead Market Maker for the purpose of making markets in securities traded on the Exchange. The Primary Lead Market Maker is vested with the rights and responsibilities specified in Chapter VI of the Exchange's Rules with respect to Primary Lead Market Makers. The term ''Registered Market Maker'' means a Member registered with the Exchange for the purpose of making markets in securities traded on the Exchange, who is not a Lead Market Maker and is vested with the rights and responsibilities specified in Chapter VI of the Exchange's Rules with respect to Registered Market Makers. *See* Exchange Rule 100.

[4] *See* Exchange Rule 503(e), Starting the Opening Process.

[5] A valid width quote is one where the bid and offer, comprised of a Market Maker's Standard quotes and Day eQuotes, differ by no more than the differences outlined in Exchange Rule 603(b)(4)(i). *See* Exchange Rule 503(e)(3).

[6] *See* Exchange Rule 503(e)(1)(i).

[7] *See* Exchange Rule 503(e)(1)(ii).

[8] *See* Exchange Rule 503(e)(1)(iii).

[9] The term ''Eligible Exchange'' means a national securities exchange registered with the SEC in accordance with Section 6(a) of the Exchange Act that: (1) Is a Participant Exchange in OCC (as that term is defined in Section VII of the OCC by-laws); (2) is a party to the OPRA Plan (as that term is described in Section I of the OPRA Plan); and (3) if the national securities exchange is not a party to the Options Order Protection and Locked/Crossed Markets Plan as defined below, is a participant in another plan approved by the Commission providing for comparable Trade-Through and Locked and Crossed Market protection. *See* Exchange Rule 1400(f).

[10] Except for quotations that fall within the provisions of paragraph (b) or this Rule, Members shall reasonably avoid displaying, and shall not engage in a pattern or practice of displaying any quotations that lock or cross a Protected Quotation. *See* Exchange Rule 1402(a), Prohibition.

[11] *See* Exchange Rule 503.

for trading in a timely fashion. However, there are two additional methods which the Opening Process may use to open the option class for trading which do not require the presence of a PLMM's valid width quote. If series of the option class are opened for trading within one minute following the dissemination of a quote or trade by the market for the underlying security, the requirement that a PLMM enter valid width quotes within one minute following the dissemination of a quote or trade by the market for the underlying security is unnecessary.

The MIAX Options Exchange became a registered national securities exchange on December 7, 2012.[12] Two months later, in February 2013, the Exchange revised its opening quoting obligations for market makers to better align its rules to those of the other then existing option exchanges.[13] In its rule filing the Exchange stated that, ''[w]hile MIAX agrees that eliminating its opening quoting obligations for Market Makers would be pro-competitive in that it will attract more market makers and additional liquidity to the Exchange, MIAX believes that the PLMM should still have the responsibility to assure a timely start to the opening process in each of its appointed classes and is therefore continuing to require the PLMM to submit valid width quotes not later than one minute after a trade or quote in the underlying security has been disseminated. As it builds its options marketplace, MIAX believes a consistently timely opening of its options classes is essential for attracting order flow.'' [14]

The Exchange remains committed to ensuring that its options classes open in a consistently timely manner and nothing in the current rule proposal diminishes the affirmative obligation the PLMM bears to open series in a timely fashion. The Exchange has reviewed data for the first two quarters of 2016 for series opening on the Exchange within one minute following the dissemination of a quote or trade by the market for the underlying security and found that 99.92% [15] of all series listed on the Exchange were opened for trading within such one minute period. During this review period, the Exchange found that a valid width PLMM quote was present for 95.57% of all series which opened within one minute following the dissemination of a quote or trade by the market for the underlying security. For the remaining 4.35% of series, 98.13% were opened within one minute by an alternative method which did not require the presence of a PLMM quote.

Under the proposed rule filing, the PLMM maintains an affirmative obligation to provide a valid width quote within one minute following the dissemination of a quote or trade by the market for the underlying security to ensure that the series are opened in a timely manner. The Exchange seeks only to eliminate unnecessary disciplinary action against a PLMM for not providing a valid width quote within such one minute period when the series is opened within that period by an alternative method. The Exchange notes that the proposed rule change will not prohibit the Exchange from taking disciplinary action against a PLMM for failing to provide valid width quotes within one minute following the dissemination of a quote or trade by the market for the underlying security if the affected series do not open within such one minute period. Additionally, the proposed rule provides that a PLMM that demonstrates a pattern or practice of not submitting valid width quotes within one minute following the dissemination of a quote or trade by the market for the underlying security, irrespective of whether the series have opened for trading or not, will be subject to disciplinary action by the Exchange. This ensures that the incentive for PLMMs to provide valid width quotes within one minute following the dissemination of a quote or trade by the market for the underlying security remains intact, and ensures that the participation rates established by the PLMM community remain high.

Further, the Exchange notes that the proposed rule change will not relieve Market Makers of their continuous quoting obligations under Exchange Rule 604 [16] and under Reg NMS Rule 602.[17] Nor will the proposed rule change prohibit the Exchange from taking disciplinary action against a Market Maker for failing to meet their continuous quoting obligation each trading day.

The Exchange now proposes to adopt Interpretations and Policies .01 to Rule 503, which will establish that a PLMM assigned in a particular equity option class will not be in violation of subsection (e)(5) if the PLMM has not submitted valid width quotes in any series of such class within one minute following the dissemination of a quote or trade by the market for the underlying security if the affected series of such class have opened for trading within such one minute period, unless the PLMM demonstrates a pattern and practice of not submitting valid width quotes within one minute following the dissemination of a quote or trade by the market for the underlying security, irrespective of whether the series have opened for trading. Additionally, the Exchange now proposes to adopt Interpretations and Policies .01 to Rule 603, which will establish that a PLMM assigned in a particular equity option class will not be in violation of subsection (c) if the PLMM has not submitted valid width quotes in any series of such class within one minute following the dissemination of a quote or trade by the market for the underlying security if the affected series of such class have opened for trading within such one minute period, unless the PLMM demonstrates a pattern and practice of not submitting valid width quotes within one minute following the dissemination of a quote or trade by the market for the underlying security, irrespective of whether the series have opened for trading. The Exchange believes that by adopting the proposed Rule it will harmonize the intent of the rule with its enforcement.

2. Statutory Basis

MIAX believes that its proposed rule change is consistent with Section 6(b) of the Act [18] in general, and furthers the objectives of Section 6(b)(5) of the Act [19] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, 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 mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest.

The Exchange notes that the proposed rule change is not a material change to either Rule 503, Openings on the

[12] *See* Securities Exchange Act Release No. 68341 (December 3, 2012), 77 FR 73065 (December 7, 2012) (File No. 10–207).

[13] *See* Securities Exchange Act Release No. 68954 (February 20, 2013), 78 FR 13107 (February 26, 2013) (SR–MIAX–2013–04).

[14] *See* Securities Exchange Act Release No. 68954 (February 20, 2013), 78 FR 13107 (February 26, 2013) (SR–MIAX–2013–04).

[15] The Exchange determined that for Q1 2016, 99.83%, and for Q2 2016, 99.95%, of all series listed on the Exchange were opened within one minute following the dissemination of a quote or trade by the market for the underlying security.

[16] *See* Exchange Rule 604(e)(1)(i) which states, ''[a] Primary Lead Market Maker must provide continuous two-sided Standard quotes and/or Day eQuotes, which for the purpose of this paragraph shall mean 90% of the time, for the options classes to which it is appointed.

[17] 17 CFR 242.602.

[18] 15 U.S.C. 78f(b).

[19] 15 U.S.C. 78f(b)(5).

Exchange, or Rule 603, Obligations of Market Makers. The proposed rule change is designed to promote just and equitable principles of trade by better aligning the enforcement of a Market Maker's obligations on the Exchange with the objective of the Rule which is to ensure that option classes on the Exchange are opened in a consistently timely fashion. Further, the proposed rule change will foster cooperation and coordination with persons engaged in regulating and facilitating transactions in securities as the proposed rule change articulates the specific conditions under which a Market Maker has met, or has failed to meet, a quoting obligation on the Exchange.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not designed to address any competitive issues.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to 19(b)(3)(A) of the Act [20] and Rule 19b–4(f)(6) [21] 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 necessary or appropriate in the public interest, for the protection of investors, or 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 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– MIAX–2016–35 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–MIAX–2016–35. 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–MIAX–2016–35 and should be submitted on or before November 2, 2016.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[22]

Brent J. Fields,

Secretary.

[FR Doc. 2016–24573 Filed 10–11–16; 8:45 am]

BILLING CODE 8011–01–P

[20] 15 U.S.C. 78s(b)(3)(A).

[21] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file 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. The Exchange has satisfied this requirement.

[22] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–79052; File No. SR–NYSEArca–2016–82]

Self-Regulatory Organizations; NYSE Arca, Inc.; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change, as Modified by Amendment Nos. 1, 2, and 3 Thereto, To List and Trade Shares of the JPMorgan Diversified Event Driven ETF Under NYSE Arca Equities Rule 8.600

October 5, 2016.

I. Introduction

On June 20, 2016, NYSE Arca, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'' or ''Exchange Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares of the JPMorgan Diversified Event Driven ETF under NYSE Arca Equities Rule 8.600. The proposed rule change was published for comment in the **Federal Register** on July 7, 2016.[3] On August 18, 2016, the Exchange filed Amendment No. 1 to the proposed rule change,[4] and,

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 78218 (Jul. 1, 2016), 81 FR 44339 (''Notice'').

[4] In Amendment No. 1, which amended and replaced the proposed rule change in its entirety, the Exchange clarified: (a) certain aspects relating to the Fund's investment strategy, including descriptions of (i) certain return factors that the Fund seeks to utilize to achieve its investment objective, (ii) the Fund's total net long market exposure, (iii) the Fund's use of derivative instruments and its market exposure to such instruments, and (iv) the Fund's investments in mutual funds; (b) that the common stock into which convertible securities held by the Fund can be converted will be exchange-traded; (c) that the Fund may invest no more than 5% of its assets, in the aggregate, in over-the-counter (''OTC'') common stocks, preferred stocks, warrants, rights, and contingent value rights (''CVRs'') of U.S. and foreign corporations (including emerging market securities); (d) the redemption order submission cut-off time; (e) that no more than 10% of the net assets of the Fund will be invested in Depositary Receipts (as defined herein) that are not exchange-listed; and (f) the use of certain defined terms. Amendment No. 1 to the proposed rule change is

Continued

pursuant to Section 19(b)(2) of the Act,[5] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[6] On September 1, 2016, the Exchange filed Amendment No. 2 to the proposed rule change.[7] On September 2, 2016, the Exchange filed Amendment No. 3 to the proposed rule change.[8] The Commission has received no comments on the proposal. This order institutes proceedings under Section 19(b)(2)(B) of the Act [9] to determine whether to approve or disapprove the proposed rule change, as modified by Amendment Nos. 1, 2, and 3 thereto.

II. Exchange's Description of the Proposal

The Exchange proposes to list and trade shares (''Shares'') of the JPMorgan Diversified Event Driven ETF (''Fund'') under NYSE Arca Equities Rule 8.600, which governs the listing and trading of Managed Fund Shares. The Fund is a series of J.P. Morgan Exchange-Traded Fund Trust (''Trust''), a Delaware statutory trust.[10] J.P. Morgan Investment Management Inc. (''Adviser'') will be the investment adviser to the Fund. The Adviser is a wholly-owned subsidiary of JPMorgan Asset Management Holdings Inc., which is a wholly-owned subsidiary of JPMorgan Chase & Co., a bank holding company. The Adviser will also provide administrative services for, and will oversee the other service providers of, the Fund. SEI Investments Distribution Co. will be the distributor of the Fund's Shares.

The Fund will seek to provide long-term total return and will seek to achieve its investment objective by employing an event-driven investment strategy, primarily investing in companies that the Adviser believes will be impacted by pending or anticipated corporate or special situation events. In executing this investment strategy, the Fund will seek to capture the price difference between a security's market price and the anticipated value post-event, based on the assumption that an event or catalyst will affect future pricing. It will do so based on its systematic investment process for securities selection. The Adviser believes it has identified (and will continue to identify) a set of sources of potential event-driven investment return that have a low correlation to each other and traditional markets and have distinct risk and return profiles (''return factors'').

Under normal market conditions,[11] the Fund will seek to achieve its investment objective by employing its investment strategy to access certain return factors. For example, the return factors that the Adviser may utilize include, but are not limited to, the following:

(1) Merger arbitrage—seeks to capitalize on price discrepancies and returns generated by a corporate transaction. The Fund may purchase the common stock of the company being acquired and may short the common stock of the acquirer in expectation of profiting from the price differential between the purchase price of the securities and the value received for the securities as a result of or in expectation of the consummation of the merger.

(2) Activism tracking—invests in companies that are the target of activist investors.

(3) Share buybacks—attempts to exploit the outperformance of a company engaged in a share buyback program.

(4) Parents and spinoffs—attempts to capture positive performance of a parent company after the spinoff announcement; this typically leads to a revaluation of the company.

(5) Index arbitrage—attempts to profit from the price changes of assets as they are added to or deleted from indices.

(6) Post-reorganization equities—attempts to profit from the mispricing of companies as they emerge from bankruptcy.

Each return factor represents a potential source of investment return that results from, among other things, assuming a particular risk or taking advantage of a market opportunity. Each return factor represents a potential source of investment return, and the Adviser allocates assets to a subset of return factors based on current investment opportunities. Under normal market conditions, the Fund will seek to achieve its investment objective by employing the event-driven strategy to access certain return factors. The Adviser believes that, in general, the Fund's event-driven investment returns will be attributable to the individual contributions of the various return factors. By employing this return factor based approach, the Fund will seek to provide positive total returns over time while maintaining a relatively low correlation with traditional markets. The exposure to individual return factors may vary based on the market opportunity of the individual return factors. Additional return factors may be identified over time.

The Fund will invest its assets globally to gain exposure to equity securities (across market capitalizations) in developed markets. The Fund may use both long and short positions (achieved primarily through the use of derivative instruments as described below). The Fund generally will

available at: *https://www.sec.gov/comments/sr-nysearca-2016-82/nysearca201682-1.pdf.* Because Amendment No. 1 to the proposed rule change does not materially alter the substance of the proposed rule change or raise unique or novel regulatory issues, Amendment No. 1 is not subject to notice and comment.

[5] 15 U.S.C. 78s(b)(2).

[6] *See* Securities Exchange Act Release No. 78610, 81 FR 57960 (Aug. 24, 2016). The Commission designated October 5, 2016 as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

[7] In Amendment No. 2, which partially amended the proposed rule change, as modified by Amendment No. 1 thereto, the Exchange clarified (a) the Fund's holdings in mutual fund shares as the only non-exchange-traded investment company securities the Fund may hold, and (b) that Depositary Receipts (as defined herein) are included as equity securities subject to the 10% limitation on equity securities whose principal market is not a member of the Intermarket Surveillance Group (''ISG'') or is a market with which the Exchange does not have a comprehensive surveillance sharing agreement. Amendment No. 2 to the proposed rule change is available at: *https://www.sec.gov/comments/sr-nysearca-2016-82/nysearca201682-2.pdf.* Because Amendment No. 2 to the proposed rule change does not materially alter the substance of the proposed rule change or raise unique or novel regulatory issues, Amendment No. 2 is not subject to notice and comment.

[8] In Amendment No. 3, which partially amended the proposed rule change, as modified by Amendment Nos. 1 and 2 thereto, the Exchange (a) made conforming changes to the Statutory Basis section of the filing to reflect the same changes made by Amendment No. 2 to the proposed rule change, and (b) clarified a reference to the term ''advisor'' to mean ''Adviser.'' Amendment No. 3 to the proposed rule change is available at: *https://www.sec.gov/comments/sr-nysearca-2016-82/nysearca201682-3.pdf.* Because Amendment No. 3 to the proposed rule change does not materially alter the substance of the proposed rule change or raise unique or novel regulatory issues, Amendment No. 3 is not subject to notice and comment.

[9] 15 U.S.C. 78s(b)(2)(B).

[10] The Trust is registered under the Investment Company Act of 1940 (''1940 Act''). The Exchange states that, on April 22, 2016, the Trust filed with the Commission an amendment to its registration statement on Form N–1A under the Securities Act of 1933 (''Securities Act'') and the 1940 Act relating to the Fund (File Nos. 333–191837 and 811–22903) (''Registration Statement''). The Exchange also notes that an exemptive order (''Exemptive Order'') was issued on February 19, 2016 (IC Release No. 31990). The Exchange represents that investments made by the Fund will comply with the conditions set forth in the Exemptive Order.

[11] The term ''under normal market conditions'' includes, but is not limited to, the absence of extreme volatility or trading halts in the securities markets or the financial markets generally; circumstances under which the Fund's investments are made for temporary defensive purposes; operational issues (*e.g.,* systems failure) causing dissemination of inaccurate market information; or force majeure type events such as cyber-attacks, natural or man-made disaster, act of God, armed conflict, act of terrorism, riot or labor disruption, or any similar intervening circumstance.

maintain a total net long market exposure, meaning that the Fund's aggregate exposure will be greater to instruments that the Adviser expects to outperform. However, the Fund may have net long or net short exposure to one or more industry sectors, individual markets, and/or currencies based on the return factors.

The Adviser will make use of derivatives (as described below), in implementing its strategies. Under normal market conditions, the Adviser currently expects that a significant portion of the Fund's exposure will be attained through the use of derivatives in addition to its exposure through direct investments. Derivatives will primarily be used as an efficient means of implementing a particular strategy in order to gain exposure to a desired return factor. For example, the Fund may use a total return swap to establish both long and short positions in order to gain the desired exposure rather than physically purchasing and selling short each instrument. Derivatives may also be used to increase gain, to effectively gain targeted exposure from its cash positions, to hedge various investments, and/or for risk management. As a result of the Fund's use of derivatives and to serve as collateral, the Fund may hold significant amounts of U.S. Treasury obligations, including Treasury bills, bonds and notes and other obligations issued or guaranteed by the U.S. Treasury, other short-term investments, including money market funds and foreign currencies, in which certain derivatives are denominated.

The amount that may be invested in any one instrument will vary and generally depend on the return factors employed by the Adviser at that time. However, with the exception of specified investment limitations for certain assets described below, there are no stated percentage limitations on the amount that can be invested in any one type of instrument, and the Adviser may, at times, focus on a smaller number of instruments. Moreover, the Fund will generally be unconstrained by any particular capitalization, style or sector and may invest in any developed region or country. The Fund may have both long and short exposure to these instruments. The Adviser will make use of quantitative models and information and data supplied by third parties to, among other things, help determine the portfolio's weightings among various investments and construct sets of transactions and investments.

The Fund will purchase a particular instrument when the Adviser believes that such instrument will allow the Fund to gain the desired exposure to a return factor. Conversely, the Fund will consider selling a particular instrument when it no longer provides the desired exposure to a return factor. In addition, investment decisions will take into account a return factor's contribution to the Fund's overall volatility.

In addition to its main return factors, the Fund may utilize return factors that use debt securities. The Fund may invest, either directly or through financial derivative instruments, debt securities that are subject to a downgrade from investment grade to non-investment grade (also known as high yield/junk bond) status. For example, the Fund may invest in the bonds that have been downgraded while hedging credit risk more broadly by using credit default swaps indices in order to attempt to keep the Fund's exposure market neutral.

A. Exchange's Description of the Fund's Principal Investments

Under normal market conditions, the Fund will invest principally (*i.e.,* more than 50% of the Fund's assets) in the securities and financial instruments described below, which may be represented by derivatives, as discussed below.

The Fund may invest in exchange-listed and traded common stocks, preferred stocks,[12] warrants and rights [13] of U.S. and foreign corporations (including emerging market securities), and U.S. and non-U.S. real estate investment trusts (''REITs'').[14] Exchange-listed and traded common stocks, preferred stocks, warrants and rights of U.S. corporations, and U.S. REITs will be traded on U.S. national securities exchanges.

The Fund may invest in exchange-listed and OTC ''Depositary Receipts'' [15] as described below.

The Fund may invest in the following cash and cash equivalents: investments in money market funds (for which the Adviser and/or its affiliates serve as investment adviser or administrator), bank obligations,[16] commercial paper,[17] repurchase agreements, and short-term funding agreements.[18]

The Fund may invest in corporate debt.[19]

In addition to money market funds referenced above, the Fund may invest in shares of non-exchange-traded investment company securities, that is, mutual fund shares, including mutual fund shares for which the Adviser and/or its affiliates may serve as investment adviser or administrator, to the extent permitted by Section 12(d)(1) [20] of the 1940 Act and the rules thereunder.

In addition, the Fund may invest in exchange traded funds (''ETFs''),[21] purchase and sell futures contracts on indexes of securities, invest in swaps (credit default swaps (''CDSs''), CDS indices, and total return swaps on equity securities, equity indexes, fixed income securities, and fixed income futures), invest in forward and spot

[12] Preferred stock is a class of stock that generally pays a dividend at a specified rate and has preference over common stock in the payment of dividends and in liquidation (U.S. and non-U.S., including emerging markets).

[13] Rights are securities, typically issued with preferred stock or bonds, that give the holder the right to buy a proportionate amount of common stock at a specified price (U.S. and non-U.S., including emerging markets).

[14] REITs are pooled investment vehicles which invest primarily in income-producing real estate or real estate related loans or interest.

[15] Depositary Receipts include American Depositary Receipts (''ADRs''), Global Depositary Receipts (''GDRs'') and European Depositary Receipts (''EDRs''). ADRs are receipts typically issued by an American bank or trust company that evidence ownership of underlying securities issued by a foreign corporation. EDRs are receipts issued by a European bank or trust company evidencing ownership of securities issued by a foreign corporation. GDRs are receipts issued throughout the world that evidence a similar arrangement. ADRs, EDRs and GDRs may trade in foreign currencies that differ from the currency the underlying security for each ADR, EDR or GDR principally trades in. Generally, ADRs, in registered form, are designed for use in the U.S. securities markets. EDRs, in registered form, are used to access European markets. GDRs, in registered form, are tradable both in the United States and in Europe and are designed for use throughout the world. No more than 10% of the net assets of the Fund will be invested in Depositary Receipts that are not exchange-listed.

[16] Bank obligations include the following: bankers' acceptances, certificates of deposit, and time deposits. Bankers' acceptances are bills of exchange or time drafts drawn on and accepted by a commercial bank. Maturities are generally six months or less. Certificates of deposit are negotiable certificates issued by a bank for a specified period of time and earning a specified return. Time deposits are non-negotiable receipts issued by a bank in exchange for the deposit of funds.

[17] Commercial paper consists of secured and unsecured short-term promissory notes issued by corporations and other entities. Maturities generally vary from a few days to nine months.

[18] Short-term funding agreements are agreements issued by banks and highly rated U.S. insurance companies such as Guaranteed Investment Contracts and Bank Investment Contracts.

[19] The Adviser expects that, under normal market conditions, the Fund will invest at least 75% of its corporate debt securities in issuances that have at least $100,000,000 par amount outstanding in developed countries, or at least $200,000,000 par amount outstanding in emerging market countries.

[20] 15 U.S.C. 80a–12(d)(1).

[21] The ETFs in which the Fund may invest will be registered under the 1940 Act and include Investment Company Units (as described in NYSE Arca Equities Rule 5.2(j)(3)); Portfolio Depositary Receipts (as described in NYSE Arca Equities Rule 8.100); and Managed Fund Shares (as described in NYSE Arca Equities Rule 8.600). Such ETFs all will be listed and traded in the U.S. on registered exchanges. While the Fund may invest in inverse ETFs, the Fund will not invest in leveraged or inverse leveraged (*e.g.,* 2X, –2X, 3X, or –3X) ETFs.

currency transactions [22] (such investments consist of non-deliverable forwards (''NDFs''), foreign forward currency contracts, and spot currency transactions), and invest in OTC and exchange-traded call and put options on equities, fixed income securities, and currencies or options on indexes of equities, fixed income securities, and currencies.

The Fund may invest in U.S. Government obligations, which may include direct obligations of the U.S. Treasury, including Treasury bills, notes and bonds, all of which are backed as to principal and interest payments by the full faith and credit of the United States, and separately traded principal and interest component parts of such obligations that are transferable through the Federal book-entry system known as Separate Trading of Registered Interest and Principal of Securities and Coupons Under Book Entry Safekeeping.

B. Exchange's Description of the Fund's Other Investments

While the Fund, under normal market conditions, will invest at least fifty percent (50%) of its assets in the securities and financial instruments described above, the Fund may invest its remaining assets in other assets and financial instruments, as described below.

The Fund may invest in U.S. and non-U.S. convertible securities, which are bonds or preferred stock that can convert to common stock. The common stock into which convertible securities can be converted will be exchange-traded.

The Fund may invest in reverse repurchase agreements.

The Fund may invest in sovereign obligations, which are investments in debt obligations issued or guaranteed by a foreign sovereign government or its agencies, authorities, or political subdivisions.

The Fund may invest no more than 5% of its assets in equity and debt securities that are restricted securities (Rule 144A securities), in addition to Rule 144A securities deemed illiquid by the Adviser, as referenced below.

Under normal market conditions, the Fund may invest no more than 5% of its assets, in the aggregate, in OTC common stocks, preferred stocks, warrants, rights, and CVRs of U.S. and foreign corporations (including emerging market securities).

C. Exchange's Description of the Fund's Investment Restrictions

The Fund may hold up to an aggregate amount of 15% of its net assets in illiquid assets (calculated at the time of investment), including Rule 144A securities deemed illiquid by the Adviser, consistent with Commission guidance. The Fund will monitor its portfolio liquidity on an ongoing basis to determine whether, in light of current circumstances, an adequate level of liquidity is being maintained, and will consider taking appropriate steps in order to maintain adequate liquidity if, through a change in values, net assets, or other circumstances, more than 15% of the Fund's net assets are held in illiquid assets. Illiquid assets include securities subject to contractual or other restrictions on resale and other instruments that lack readily available markets as determined in accordance with Commission staff guidance.

The Fund may invest in other investment companies to the extent permitted by Section 12(d)(1) of the 1940 Act and rules thereunder and/or any applicable exemption or exemptive order under the 1940 Act with respect to such investments.

The Fund may invest in securities denominated in U.S. dollars, major reserve currencies, and currencies of other countries in which the Fund may invest.

The Fund may invest in both investment grade and high yield debt securities.

The Fund intends to qualify for and to elect treatment as a separate regulated investment company under Subchapter M of the Internal Revenue Code. Furthermore, the Fund may not concentrate investments in a particular industry or group of industries, as concentration is defined under the 1940 Act, the rules or regulations thereunder, or any exemption therefrom, as such statute, rules, or regulations may be amended or interpreted from time to time.[23]

The Fund is a diversified series of the Trust. The Fund intends to meet the diversification requirements of the 1940 Act.

The Fund's investments, including derivatives, will be consistent with the Fund's investment objective and will not be used to enhance leverage (although certain derivatives may result in leverage). That is, while the Fund will be permitted to borrow as permitted under the 1940 Act, the Fund's investments will not be used to seek performance that is the multiple or inverse multiple (*i.e.,* 2Xs and 3Xs) of the Fund's primary broad-based securities benchmark index (as defined in Form N–1A).[24]

D. Exchange's Description of the Fund's Use of Derivatives

The Fund proposes to seek certain exposures through transactions in the specific derivative instruments described above. The derivatives to be used are futures, swaps, NDFs, foreign forward currency contracts, and call and put options. Derivatives, which are instruments that have a value based on another instrument, exchange rate, or index, may also be used as substitutes for securities in which the Fund can invest. The Fund may use these derivative instruments to increase gain, to effectively gain targeted exposure from its cash positions, to hedge various investments, and/or for risk management.

Investments in derivative instruments will be made in accordance with the 1940 Act and consistent with the Fund's investment objective and policies. To limit the potential risk associated with such transactions, the Fund will segregate or ''earmark'' assets determined to be liquid by the Adviser in accordance with procedures established by the Trust's Board of Trustees and in accordance with the 1940 Act (or, as permitted by applicable regulation, enter into certain offsetting positions) to cover its obligations under derivative instruments. These procedures have been adopted consistent with Section 18 of the 1940 Act and related Commission guidance. In addition, the Fund will include appropriate risk disclosure in its offering documents, including leveraging risk. Leveraging risk is the risk that certain transactions of the Fund, including the Fund's use of derivatives, may give rise to leverage, causing the Fund to be more volatile than if it had not been leveraged.[25] Because the markets for certain assets, or the assets themselves, may be unavailable or cost prohibitive as

[22] The Fund will limit its investments in currencies to those currencies with a minimum average daily foreign exchange turnover of USD $1 billion as determined by the Bank for International Settlements (''BIS'') Triennial Central Bank Survey. As of the most recent BIS Triennial Central Bank Survey, at least 52 separate currencies had minimum average daily foreign exchange turnover of USD $1 billion. For a list of eligible BIS currencies, *see www.bis.org.*

[23] The Registration Statement states that, for purposes of the Fund's fundamental investment policy regarding industry concentration, ''to concentrate'' generally means to invest more than 25% of the Fund's total assets, taken at market value at the time of investment.

[24] The Fund's broad-based securities benchmark index will be identified in a future amendment to the Registration Statement following the Fund's first full calendar year of performance.

[25] To mitigate leveraging risk, the Adviser will segregate or ''earmark'' liquid assets or otherwise cover the transactions that may give rise to such risk.

compared to derivative instruments, suitable derivative transactions may be an efficient alternative for the Fund to obtain the desired asset exposure.

III. Proceedings To Determine Whether To Approve or Disapprove SR–NYSEArca–2016–82 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act [26] to determine whether the proposed rule change, as modified by Amendment Nos. 1, 2, and 3 thereto, should be approved or disapproved. Institution of such proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule change. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, as described below, the Commission seeks and encourages interested persons to provide comments on the proposed rule change, as modified by Amendment Nos. 1, 2, and 3 thereto.

Pursuant to Section 19(b)(2)(B) of the Act,[27] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of the proposed rule change's consistency with Section 6(b)(5) of the Act, which requires, among other things, that the rules of a national securities exchange be ''designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade,'' and ''to protect investors and the public interest.'' [28]

Under the proposal, the Exchange states that the Fund will invest in assets globally. In addition to certain U.S. securities, the Fund proposes to hold non-U.S. exchange listed and traded common stocks, preferred stocks, warrants, and rights. Further, the Fund proposes to hold non-U.S. REITs, Depositary Receipts, corporate bonds, sovereign obligations, and convertible securities. The Exchange, however, proposes no quantitative standards with respect to these non-U.S. securities in which the Fund, at the Adviser's discretion, may invest. The Commission has recently noted that appropriate quantitative standards help reduce the extent to which Managed Fund Shares holding non-U.S. components may be susceptible to manipulation.[29] For example, with respect to certain equity securities, the Commission noted that standards, such as minimum market value, trading volume, and diversification requirements, should reduce the risk that Managed Fund Shares holding non-U.S. component stocks are susceptible to manipulation.[30]

The Exchange also states that the Fund's investments may be represented by derivatives. Further, derivatives may be used ''to increase gain, to effectively gain targeted exposure from its cash positions, to hedge various investments, and/or for risk management.'' The Exchange does not propose to limit the amount of derivatives that the Fund may hold, and also does not provide any other information regarding the Fund's use of derivatives, including the use of OTC or non-centrally cleared derivatives. The Commission has previously noted that quantitative requirements, such as concentration limits on the use of listed derivatives and limits on OTC derivatives, help reduce the extent to which Managed Fund Shares holding derivative instruments may be susceptible to manipulation.[31]

Accordingly, the Commission solicits comment on whether the proposal is consistent with the Act. In particular, the Commission seeks comment on whether the Exchange's representations relating to non-U.S. component securities and derivatives held by the Fund are sufficient to prevent the susceptibility of the Fund's portfolio to manipulation and are thereby consistent with the requirements of Section 6(b)(5) of the Act, which, among other things, requires that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices and to protect investors and the public interest.

IV. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Section 6(b)(5) or any other provision of the Act, or the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4, any request for an opportunity to make an oral presentation.[32]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposal should be approved or disapproved by November 2, 2016. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by November 16, 2016. The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, which are set forth in the Notice [33] and in Amendment Nos. 1, 2, and 3 to the proposed rule change,[34] in addition to any other comments they may wish to submit about the proposed rule change.

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–NYSEArca–2016–82 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–NYSEArca–2016–82. 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

[26] 15 U.S.C. 78s(b)(2)(B).

[27] *Id.*

[28] 15 U.S.C. 78f(b)(5).

[29] *See* Securities Exchange Act Release No. 78397 (Jul. 22, 2016), 81 FR 49320, at 49325 (Jul. 27, 2016).

[30] *Id.*

[31] *Id.*

[32] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Pub. L. 94–29 (June 4, 1975), grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Acts Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

[33] *See supra* note 3.

[34] *See supra* notes 4, 7, and 8.

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–NYSEArca–2016–82 and should be submitted on or before November 2, 2016. Rebuttal comments should be submitted by November 16, 2016.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[35]

Brent J. Fields,

Secretary.

[FR Doc. 2016–24577 Filed 10–11–16; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold an open meeting on Thursday, October 13, 2016 at 10 a.m., in the Auditorium, Room L–002.

The subject matters of the open meeting will be:

• The Commission will consider whether to adopt new rules and forms and amendments to certain rules and forms to modernize the reporting of information by registered investment companies.

• The Commission will consider whether to adopt a new rule and amendments to certain rules and forms that would provide for liquidity risk management programs and related disclosures for open-end management investment companies.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted, or postponed, please contact Brent J. Fields in the Office of the Secretary at (202) 551–5400.

Dated: October 6, 2016.

Brent J. Fields,

Secretary.

[FR Doc. 2016–24731 Filed 10–7–16; 11:15 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–79055; File Nos. SR–NYSEMKT–2016–52 and SR–NYSEArca–2016–103]

Self-Regulatory Organizations; NYSE MKT LLC; NYSE Arca, Inc.; Order Instituting Proceedings To Determine Whether To Approve or Disapprove Proposed Rule Changes To Extend the Time Within Which a Member, Member Organization, an ATP Holder, an OTP Holder, or an OTP Firm Must File a Uniform Termination Notice for Securities Industry Registration (''Form U5'')

October 5, 2016.

I. Introduction

On June 16, 2016, NYSE MKT LLC (''NYSE MKT'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (''Act'')[2] and Rule 19b–4 thereunder,[3] a proposed rule change to extend the time within which a member or member organization, or an Amex Trading Permit Holder (''ATP Holder'') must file a Form U5, or any amendments thereto. The proposed rule change was published for comment in the **Federal Register** on July 7, 2016.[4] On July 14, 2016, NYSE Arca, Inc. (''NYSE Arca'') (NYSE MKT and NYSE Arca, each an ''Exchange'') filed with the Commission, pursuant to Section 19(b)(1)[5] of the Act and Rule 19b–4 thereunder,[6] a proposed rule change to extend the time within which an Options Trading Permit Holder (''OTP Holder'') or Options Trading Permit Firm (''OTP Firm'') must file a Form U5, or any amendments thereto. The proposed rule change was published for comment in the **Federal Register** on July 27, 2016.[7] The Commission received two comment letters regarding the proposals.[8] NYSE responded to the NASAA Letter on August 12, 2016.[9] This order institutes proceedings under Section 19(b)(2)(B) of the Act[10] to determine whether to approve or disapprove the proposed rule changes.

II. Description of the Proposed Rule Changes

NYSEMKT–2016–52

NYSE MKT proposes to amend its rules regarding when a member, member organization, or an ATP Holder must file a Form U5 and amendments thereto. Under Commentary .01 to NYSE MKT Rule 340, members and member organizations (collectively, ''Members'') are required to file a Form U5 and any amendment thereto with the Central Registration Depository (''CRD'') within 10 days of the date of termination of an employee that has been approved for admission to the trading floor. Under Commentary .09 to NYSE MKT Rule 341, Members must submit information concerning the termination of employment of a member, registered employee, or an officer on Form U5 within 10 days of the date of termination. Under NYSE MKT Rule 359(a), an ATP Holder that terminates an ATP Holder or approved person must file a Form U5 within 10 days of such termination.

NYSE MKT proposes to amend these rules by replacing the 10-day deadline with a requirement to promptly file a Form U5 with CRD, but not later than 30 calendar days after the date of termination of a member, ATP Holder, registered employee, officer, or approved person. Further, the proposed rule change would require that any amendment to a Form U5 be promptly filed with CRD, but not later than 30 calendar days after learning of the facts or circumstances giving rise to the amendment. In addition, the proposed rule change would require that all Form U5s be provided to the terminated person concurrently with filing.

NYSEArca–2016–103

Under NYSE Arca Rule 2.17(c), an OTP Holder that terminates an OTP is required to file a Form U5 or any amendment thereto within 10 business days of the termination or the occurrence requiring the amendment.

[35] 17 CFR 200.30–3(a)(57).

[1] 15 U.S.C.78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Securities Exchange Act Release No. 78198 (June 30, 2016), 81 FR 44363.

[5] 15 U.S.C.78s(b)(1).

[6] 17 CFR 240.19b–4.

[7] *See* Securities Exchange Act Release No. 78381 (July 21, 2016), 81 FR 49286.

[8] *See* letters from Judith Shaw, President, North American Securities Administrators Association, Inc., dated August 3, 2016 (''NASAA Letter'') and Rick A. Fleming, Investor Advocate and Tracey L. McNeil, Ombudsman, Office of the Investor Advocate, Commission, dated October 3, 2016, to Brent J. Fields, Secretary, Commission (''OIA Letter'').

[9] *See* letter from Elizabeth K. King, General Counsel and Corporate Secretary, New York Stock Exchange LLC, to Brent J. Fields, Secretary, Securities and Exchange Commission, dated August 12, 2016 (''NYSE Letter'').

[10] 15 U.S.C. 78s(b)(2)(B).

Under NYSE Arca Rule 2.23(i), OTP Holders and OTP Firms are required to file a Form U5 and any amendment thereto within 10 business days of the termination date of an employee that has been approved for admission to the trading floor or participation on any trading system.

NYSE Arca proposes to extend these deadlines to 30 days in the same manner that NYSE MKT has proposed to amend its rules. The Exchanges stated that the proposed rule changes would harmonize their rules with similar requirements of other exchanges and FINRA.[11] In addition, the Exchanges believe that by adding a requirement that Form U5 be filed promptly, the proposals may lead to Form U5s being filed sooner than the current 10-day requirement.

III. Comment Letters and NYSE's Response

The Commission received two comments on the proposed rule changes, one from NASAA and one from the Commission's Office of the Investor Advocate.[12] The Commission also received a response to the NASAA comment letter from the NYSE.[13] NASAA and OIA raise concerns about extending the time that firms would have to submit Form U5 to 30 days. NASAA states that the 10-day filing requirement for Form U5 should be maintained, noting that the form ''contains valuable regulatory information, relating to the termination of securities industry professionals, which is used by regulators in making licensing decisions and by securities firms in making hiring decisions.'' [14]

NASAA also states that timely access to the information on Form U5 is critical, noting that state regulators use the information from Form U5 filings when making decisions regarding whether to register a person in that state.[15] NASAA further notes that state regulators often must make such decisions in short timeframes.[16] In addition, NASAA notes that information and money flow through the economy very quickly and ''regulators making registration determinations and securities firms making hiring decisions should not have to do so without a full picture of the facts and circumstances and should have access to information in the most timely manner possible.'' [17]

NYSE responded that the proposed rule change would harmonize its rules with the existing rules of the other exchanges and FINRA.[18] With respect to NASAA's concerns, NYSE referenced a proposed rule change which amended FINRA's rules to reduce the time period within which information disclosed on Form U5 is made available to the public via BrokerCheck.[19] Finally, NYSE stated that unless FINRA moves to a shorter timeframe it would be a burden on competition for NYSE Arca and NYSE MKT to continue to maintain a different standard.[20]

The OIA objects to the proposed amendments, stating its view that the amendments ''. . . are not in the public interest and may be designed to contribute to, rather than to prevent, fraudulent and manipulative acts and practices in the markets.'' [21] Like NASAA, the OIA argues that the appropriate way to harmonize the requirement would be to shorten the filing timeframes to 10 days across the industry.[22] The OIA notes that the information on Form U5 is used by state regulators making licensing decisions, FINRA to identify and initiate investigations of firms and brokers that pose risks, firms when making hiring decisions, and, ''perhaps most important, the information alerts retail investors about potential red flags in a broker's employment history.'' [23]

IV. Proceedings to Determine Whether To Approve or Disapprove SR–NYSEMKT–2016–52 and NYSEArca–2016–103 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act [24] to determine whether the proposed rule changes should be approved or disapproved. Institution of such proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule changes, as discussed below. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, as described in greater detail below, the Commission seeks and encourages interested persons to provide additional comment on the proposed rule changes.

Pursuant to Section 19(b)(2)(B) of the Act,[25] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings because the proposals raise important issues that warrant further public comment and Commission consideration. Specifically, the Commission is instituting proceedings to allow for additional analysis of, and input from commenters with respect to, the proposed rule changes' consistency with Section 6(b)(5) of the Act,[26] which requires that the rules of a national securities exchange be designed, among other things, to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, 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.

The Commission seeks comment on whether the proposals to extend the deadline that firms have to file Form U5 would undermine the ability of the Exchanges, the state securities regulators and the public to use information required on Form U5. As a practical matter, would such a change result in less timely filing of Form U5? If so, would the proposals compromise investor protection, degrade the ability of state securities regulators to vet

[11] *See* New York Stock Exchange LLC Rule 345(a).17(a) and (b) (requiring that a Form U5 shall be reported promptly, but in any event not later than 30 days following termination, that any amendment to the Form U5 shall be filed not later than 30 days after learning of the facts or circumstances giving rise to the amendment, and that any termination notice must be provided concurrently to the person whose association has been terminated); BATS BZX Exchange, Inc. Rule 2.5 Interpretations and Policies .04(a) and (b) (requiring that a Form U5 be reported immediately following the date of termination, but in no event later than 30 days following termination, that any amendment to the Form U5 shall be filed no later than 30 days after learning of the facts or circumstances giving rise to the amendment, and that any termination notice or amendment shall be provided concurrently to the person whose association has been terminated); FINRA By-Laws Article 5 Sec. 3(a) and (b) (requiring that notice of termination be filed not later than 30 days after termination, that an amendment to a Form U5 be filed not later than 30 days after learning of the facts or circumstances giving rise to the amendment, and that notice be provided concurrently to the person whose association has been terminated within the time periods prescribed).

[12] *See supra* note 8.

[13] *See supra* note 9.

[14] *See* NASAA Letter at 1.

[15] *Id.*

[16] *Id.*

[17] *Id.* at 2.

[18] *See* NYSE Letter at 1.

[19] *Id.* at 2.

[20] *Id.*

[21] *See* OIA Letter at 2–3.

[22] *See* OIA Letter at 6 and NASAA Letter at 1.

[23] *See* OIA Letter at 4.

[24] 15 U.S.C. 78s(b)(2)(B). Section 19(b)(2)(B) of the Act also provides that proceedings to determine whether to disapprove a proposed rule change must be concluded within 180 days of the date of publication of notice of the filing of the proposed rule change. The time for conclusion of the proceedings may be extended for up to 60 days if the Commission finds good cause for such extension and publishes its reasons for so finding.

[25] 15 U.S.C. 78s(b)(2)(B).

[26] 15 U.S.C. 78f(b)(5).

potential registrants and affect the hiring decisions of firms, as the commenters suggest?

The Commission also seeks comment on whether all exchanges and FINRAshould pursue an initiative to harmonize their respective requirements and, if so, what is the appropriate timeframe? Would a 10-day standard unduly burden firms and potentially compromise the quality or integrity of the information reported on Form U5? [27] The Commission is interested in any additional burdens or benefits a requirement to file Form U5 within 10 days might impose on the public or the participants in the securities industry.

The Commission believes the proposals raise questions as to whether they are consistent with the requirements of Section 6(b)(5) of the Act,[28] including whether the proposals are designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, 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.

V. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data and arguments with respect to the concerns identified above, as well as any other concerns they may have with the proposed rule changes. In particular, the Commission invites the written views of interested persons concerning whether the proposals are consistent with Sections 6(b)(5) [29] or any other provision of the Act, or the rules and regulations thereunder. Although there does not appear to be any issue relevant to approval or disapproval which would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4 under the Act,[30] any request for an opportunity to make an oral presentation.[31] Interested persons are invited to submit written data, views, and arguments regarding whether the proposal should be approved or disapproved by November 2, 2016. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by November 16, 2016. In light of the concerns raised by the proposed rule changes, as discussed above, the Commission invites additional comment on the proposed rule changes as the Commission continues its analysis of the proposed rule changes' consistency with Sections 6(b)(5) and 6(b)(8),[32] or any other provision of the Act, or the rules and regulations thereunder. The Commission asks that commenters address the sufficiency and merit of NYSE MKT's and/or NYSE Arca's statements in support of the proposed rule changes, in addition to any other comments they may wish to submit about the proposed rule changes.

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–NYSEMKT–2016–52 and File No. SR–NYSEArca–2016–103 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–NYSEMKT–2016–52 and SR–NYSEArca-2016–103. The file numbers 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 submissions, all subsequent amendments, all written statements with respect to the proposed rule changes that are filed with the Commission, and all written communications relating to the proposed rule changes 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 filings also will be available for inspection and copying at the principal office of each respective 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–NYSEMKT–2016–52 and File No. SR–NYSEArca–2016–103, and should be submitted by November 2, 2016. Rebuttal comments should be submitted by November 16, 2016.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[33]

Brent J. Fields,

Secretary.

[FR Doc. 2016–24580 Filed 10–11–16; 8:45 am]

BILLING CODE 8011–01–P

[27] *See* FINRA Regulatory Notice 10–39, which states that when providing explanations for reasons for terminations, firms must answer all disclosure questions accurately and provide enough information so the reader can understand the conduct that led to the termination and that the failure to do so may result in sanctions; *see also* In the matter of Wedbush Securities Inc., Securities Exchange Act Release No. 78568 (August 12, 2016) (noting that Form U5 serves as a warning mechanism to member firms of the potential risks and accompanying supervisory responsibilities they must assume if they decide to employ an individual with a suspect history and provides FINRA with information useful in deciding whether to initiate an investigation, and that failure to file these forms accurately and on time frustrates these objectives).

[28] 15 U.S.C. 78f(b)(5).

[29] *Id.*

[30] 17 CFR 240.19b–4.

[31] Section 19(b)(2) of the Act, as amended by the Securities Act Amendments of 1975, Public Law 94–29 (June 4, 1975), grants to the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Act Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

[32] 15 U.S.C. 78f(b)(5), (b)(8).

[33] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–79050; File No. SR–FINRA–2016–037]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Modify Fees and Transaction Credits for the FINRA/NYSE Trade Reporting Facility

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 28, 2016, Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by FINRA. FINRA has designated the proposed rule change as ''establishing or changing a due, fee or other charge'' under Section

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

19(b)(3)(A)(ii) of the Act [3] and Rule 19b–4(f)(2) thereunder,[4] which renders the proposal effective upon receipt of this filing by 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 the Substance of the Proposed Rule Change

FINRA is proposing to amend the FINRA Rule 7600B Series to modify fees and transaction credits applicable to members that use the FINRA/NYSE Trade Reporting Facility (the ''FINRA/NYSE TRF'').

The text of the proposed rule change is available on FINRA's Web site at *http://www.finra.org,* at the principal office of FINRA 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, FINRA 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. FINRA 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

Background

The FINRA/NYSE TRF, which is operated by NYSE Market (DE), Inc., is one of three FINRA facilities that FINRA members can use to report over-the-counter (''OTC'') trades in NMS stocks.[5] In connection with the establishment of the FINRA/NYSE TRF, FINRA and NYSE Market (DE), Inc. entered into a limited liability company agreement (the ''LLC Agreement''). Under the LLC Agreement, FINRA, the ''SRO Member,'' has sole regulatory responsibility for the FINRA/NYSE TRF. NYSE Market (DE), Inc., the ''Business Member,'' is primarily responsible for the management of the FINRA/NYSE TRF's business affairs to the extent those affairs are not inconsistent with the regulatory and oversight functions of FINRA. As such, the Business Member establishes pricing for use of the FINRA/NYSE TRF, and such pricing is implemented pursuant to FINRA rules that must be filed with the SEC and be consistent with the Act.[6] In addition, the Business Member is obligated to pay the cost of regulation and is entitled to the profits and losses, if any, derived from the operation of the FINRA/NYSE TRF.[7]

The FINRA/NYSE TRF commenced operation in April 2007 and since that time, the NYSE Market (DE), Inc., as the Business Member, has funded all costs associated with operating the FINRA/NYSE TRF, including all regulatory costs, from NYSE Market (DE), Inc. general revenues. According to NYSE Market (DE), Inc., the cost of operating the FINRA/NYSE TRF has increased since 2007, in part because regulatory costs have increased with FINRA/NYSE TRF's higher market share, as well as additional functionality and development costs. Accordingly, NYSE Market (DE), Inc., as the Business Member, has determined to adjust the FINRA/NYSE TRF fees and transaction credits to provide revenue to help offset these increased operating costs, while allowing the FINRA/NYSE TRF to remain competitive. NYSE Market (DE), Inc. will continue to fund any costs, including applicable regulatory costs and requisite infrastructure costs, associated with the operations of the FINRA/NYSE TRF that are not covered by fees and market data revenue from NYSE Market (DE), Inc.'s general revenues.

Pursuant to the FINRA Rule 7600B Series, FINRA members that are FINRA/NYSE TRF participants are charged fees (Rule 7620B) and may qualify for transaction credits (Rule 7610B) for use of the FINRA/NYSE TRF. In addition, affiliated members can aggregate their activity for purposes of fees and credits that are dependent upon the volume of their activity (Rule 7630B). These rules are administered by NYSE Market (DE), Inc., in its capacity as the Business Member and operator of the FINRA/NYSE TRF on behalf of FINRA,[8] and NYSE Market (DE), Inc. collects all fees on behalf of the FINRA/NYSE TRF.

Proposed Amendments to Rule 7610B

Pursuant to Rule 7610B (Securities Transaction Credit), FINRA members that execute OTC trades in securities listed on the New York Stock Exchange (''Tape A''), NYSE MKT and regional exchanges (''Tape B''), or Nasdaq (''Tape C'') and report to the FINRA/NYSE TRF may receive from the FINRA/NYSE TRF transaction credits based on the transactions attributed to them. A transaction is attributed to a member if the member is identified as the executing party in a trade report submitted to the FINRA/NYSE TRF that the FINRA/NYSE TRF submits to the Consolidated Tape Association (''CTA'') or the Nasdaq Securities Information Processor (''UTP SIP''). A FINRA member may earn credits from any of the three pools maintained by the FINRA/NYSE TRF, each of which represents the market data revenue paid by the CTA or the UTP SIP with respect to the FINRA/NYSE TRF for each of Tape A, Tape B, and Tape C transactions (''Market Data Revenue''). A FINRA member may earn credits from the pools according to the pro rata share of revenue attributable to OTC transactions reported to the FINRA/NYSE TRF by the member in Tape A, Tape B, and Tape C for each calendar quarter.[9]

NYSE Market (DE), Inc., as the Business Member, has determined to modify the current tiered schedule for Market Data Revenue sharing for the FINRA/NYSE TRF, and FINRA is proposing to amend Rule 7610B accordingly. Specifically, the proposed rule change would increase the percentage of Market Data Revenue shared with a FINRA member reporting trades to the FINRA/NYSE TRF based on the member's ''Market Share.'' [10]

[3] 15 U.S.C. 78s(b)(3)(A)(ii).

[4] 17 CFR 240.19b—4(f)(2).

[5] In addition to the FINRA/NYSE TRF, members have the option of reporting OTC trades in NMS stocks to the FINRA Alternative Display Facility (the ''ADF'') or the FINRA/Nasdaq Trade Reporting Facility (the ''FINRA/Nasdaq TRF'').

[6] Because there are two FINRA Trade Reporting Facilities operated by different exchange Business Members competing for market share (the FINRA/NYSE TRF and the FINRA/Nasdaq TRF), FINRA does not take a position on whether the pricing for one TRF is more favorable or competitive than the pricing for the other TRF.

[7] FINRA notes that the same contractual arrangement is in place for the FINRA/Nasdaq TRF, with FINRA as the SRO Member and Nasdaq, Inc. as the Business Member. The LLC agreements for the FINRA/NYSE TRF and the FINRA/Nasdaq TRF were submitted as part of the rule filings to establish the respective TRFs and can be found in the FINRA Manual.

[8] FINRA's oversight of this function performed by the Business Member is conducted through a recurring assessment and review of TRF operations by an outside independent audit firm.

[9] To the extent that the Market Data Revenue is subject to any adjustment, credits provided may be adjusted accordingly.

[10] ''Market Share'' is defined in Rule 7610B as the percentage calculated by dividing the total number of trades reported by a member to the FINRA/NYSE TRF during a given calendar quarter by the total number of all trades reported to the CTA or the UTP SIP, as applicable, during that quarter. Market Share is calculated separately for each tape. The calculation of Market Share is based only on a member's trades that are reported to the CTA or the UTP SIP (''tape reports'') and does not include trades that are only reported for regulatory and/or

Continued

Under the current tiered schedule, a member with a Market Share of 0.9% or more in Tape A or Tape C, or 0.7% or more in Tape B, receives 90% of the attributable Market Data Revenue; a member with less than 0.9% but at least 0.5% in Tape A or Tape C, or less than 0.7% but at least 0.5% in Tape B, receives 75%; a member with less than 0.5% but at least 0.4% in Tape A, Tape B or Tape C receives 70%; a member with less than 0.4% but at least 0.075% in Tape A, Tape B or Tape C receives 25%; and a member with less than 0.075% in Tape A, Tape B or Tape C is not eligible for the Market Data Revenue sharing program.

Under the proposed rule change, a member with a Market Share of 2.0% or more in Tape A, Tape B or Tape C, would receive 100% of the attributable Market Data Revenue; a member with less than 2.0% but at least 0.5% in Tape A, Tape B or Tape C, would receive 95%; a member with less than 0.5% but at least 0.1% in Tape A, Tape B or Tape C would receive 85%; and a member with less than 0.1% in Tape A, Tape B or Tape C would not be eligible for the Market Data Revenue sharing program. For example, a member that has a Market Share of 2.5% in Tape A, 1.5% in Tape B, and 0.05% in Tape C would be eligible to receive 100% of the attributable Market Data Revenue in Tape A, 95% in Tape B, and no Market Data Revenue in Tape C. The below chart sets forth the proposed tiers.

Market share	Percentage of market data revenue shared
Greater than or equal to 2.0%	100
Greater than or equal to 0.5% but less than 2.0%	95
Greater than or equal to 0.1% but less than 0.5%	85
Less than 0.1%	0

Thus, as a general matter, market participants that make the most use of the FINRA/NYSE TRF will be eligible for the highest level of revenue sharing with others receiving progressively lower percentages. FINRA notes that although the Market Share and Market Data Revenue percentages for each tape are identical under the proposed rule change, they are independent of each other and, as such, may subsequently be adjusted individually.[11]

NYSE Market (DE) Inc. has indicated that for competitive reasons and in light of the cost of operating the FINRA/NYSE TRF, it has determined to make the above adjustments to the Market Data Revenue sharing program for the FINRA/NYSE TRF. NYSE Market (DE) Inc. believes that, particularly at the adjusted market share levels, the percentage of revenue shared is more favorable to reporting firms as compared to other revenue share programs.[12]

Proposed Amendments to Rule 7620B

Pursuant to Rule 7620B (Trade Reporting Facility Reporting Fees), FINRA members that are FINRA/NYSE TRF subscribers are currently charged a monthly fee for use of the FINRA/NYSE TRF. Members are charged either $500 or $1,000 per month beginning in the month of the member's first trade report. Specifically, members reporting an average of 100 trades or less per day during the calendar month are charged $500, and members reporting an average of more than 100 trades per day during the calendar month are charged $1,000. For purposes of meeting the 100 trade threshold, both tape and non-tape reports are included; however, reversals and other modifications to previously reported trades are not included. A member's fee could vary from month to month, depending on the number of trade reports the member submits. In addition, once a member's fee begins, the member is charged a fee each month unless and until the member cancels its access to the FINRA/NYSE TRF, even if the member reports no trades to the FINRA/NYSE TRF in a given month.[13] The fee is charged at the end of the calendar month; a member's trades are counted and the appropriate fee is assessed on the member's invoice after the month closes.

NYSE Market (DE), Inc., as the Business Member, has determined to replace the current fee structure with a tiered monthly fee structure based on a member's OTC trading activity, and FINRA is proposing to amend Rule 7620B accordingly. Specifically, the proposed rule change would base the tiered fee calculation on a member's ''ATS & Non-ATS OTC Market Share,'' which would be defined as the percentage calculated by dividing the total number of ATS and non-ATS shares[14] reported by the member to FINRA and published by FINRA pursuant to Rule 6110[15] during a given calendar quarter[16] by the total number of all shares reported to the CTA and the UTP SIP, as applicable, during that period. ''ATS & Non-ATS OTC Market Share'' will be calculated in aggregate across all tapes.

Non-ATS OTC data was first made available on FINRA's Web site using data as of April 4, 2016. As such, the ''ATS & Non-ATS OTC Market Share'' calculation for the second quarter of 2016 would begin as of April 4, 2016 for non-ATS data. Once available over a longer period, the ''ATS & Non-ATS OTC Market Share'' calculation will be based on the data available for the prior full calendar quarter and will determine the monthly fees in subsequent periods. For example, if the third quarter ATS and non-ATS data is available by the first business day of the month (*e.g.,* November 1), then the calculation will be applied to the prior billing month (*e.g.,* October). If the data is available after the first business day (*e.g.,* November 2 or later), then the calculation will be applied to the next billing month (*e.g.,* November). To the extent the ''ATS & Non-ATS OTC Market Share'' calculation is subject to any adjustment, fees charged may be adjusted accordingly.

Under the proposed rule change, a member with an ''ATS & Non-ATS OTC Market Share'' of 2.0% or more in aggregate shares across all tapes would be charged a monthly fee of $30,000; a member with less than 2.0% but at least 0.5% in aggregate across all tapes would be charged a monthly fee of $15,000; a member with less than 0.5% but at least 0.1% in aggregate would be charged a monthly fee of $5,000; and a member with less than 0.1% in aggregate across all tapes would be charged a monthly

clearing—and not dissemination—purposes (''non-tape reports''). The proposed rule change would not amend this definition.

[11] Any change to one or more of these percentages would be subject to a proposed rule change by FINRA.

[12] *See, e.g.,* Rule 7610A.

[13] In that instance, the member is charged the lower fee of $500.

[14] ''ATS shares'' are shares of NMS stocks executed within a member's alternative trading system (''ATS'') and ''non-ATS shares'' are shares of NMS stocks executed OTC by a member outside of an ATS.

[15] Pursuant to Rule 6110, FINRA publishes on its public Web site the number of shares and trades by security executed OTC (''Trading Information'') by each ATS and member firm with a trade reporting obligation under FINRA rules. Trading Information published on FINRA's Web site is derived directly from OTC trades reported by the member firm to FINRA's equity trade reporting facilities.

[16] FINRA notes that a firm's ATS and non-ATS volume information, which is published on a delayed basis, is derived directly from tape reports of OTC trades submitted to FINRA's equity trade reporting facilities. A firm's published trading volume information does not include trades for which the firm is the reported contra party or trades that are reported solely for clearing or regulatory purposes (*i.e.,* non-tape reports).

For firms executing fewer than on average 200 non-ATS transactions per day during the reporting period, FINRA combines and publishes such ''de minimis'' volume on an aggregated non-attributed basis. Such volume would be unavailable to include in the numerator of the ''ATS & Non-ATS OTC Market Share'' calculation.

fee of $2,000. The below chart sets forth the proposed fee tiers.

ATS & non-ATS OTC market share	Monthly subscriber fee
Greater than or equal to 2.0%	$30,000
Greater than or equal to 0.5% but less than 2.00%	15,000
Greater than or equal to 0.1% but less than 0.5%	5,000
Less than 0.1%	2,000

The monthly fee will be charged at the end of the calendar month and applies to any member that has submitted a participant application agreement to the FINRA/NYSE TRF pursuant to Rule 7220B. Where a new member submits the participant application agreement and reports no shares traded in a given month, the member will not be charged the monthly fee for the first two calendar months in order to provide time to connect to the FINRA/NYSE TRF.[17]

The monthly subscriber fee will continue to include full access to the FINRA/NYSE TRF and supporting functionality, *e.g.,* trade submission, reversal and cancellation, and unlimited use of the Client Management Tool. In addition to submitting, correcting, breaking, and reversing trades, the Client Management Tool currently allows users to View/Query/Export trade reports, potential trade throughs and rejected trade submissions. Additionally, members can use the FINRA/NYSE TRF as a backup system and reserve bandwidth if there is a failure at another FINRA facility that supports the reporting of OTC trades in NMS stocks.[18]

As noted above, members have the option of reporting OTC trades in NMS stocks to one of three FINRA facilities. NYSE Market (DE) Inc., as the Business Member, has determined that the FINRA/NYSE TRF would be more competitive with these other facilities if users are charged a flat fee for access to the complete range of functionality offered by the FINRA/NYSE TRF rather than a separate fee for each activity (*e.g.,* a per trade or per side fee for reporting a trade, a separate per trade fee for canceling a trade, a per terminal fee, etc.).[19] Rather than charging the same fee to all FINRA/NYSE TRF participants irrespective of trading activity, the fees are designed such that more active firms in the overall market pay more for access to the FINRA/NYSE TRF, while less active firms in the overall market pay less.

Proposed Amendments to Rule 7630B

Rule 7630B (Aggregation of Activity of Affiliated Members) provides for the aggregation of affiliated member activity for purposes of the fee and credit schedule applicable to the FINRA/NYSE TRF. NYSE Market (DE), Inc., as the Business Member, has determined to replace the current approval process and automatically aggregate affiliated member activity for purposes of determining Market Share and Market Data Revenue shared under Rule 7610B, as well as for determining a member's ''ATS & Non-ATS OTC Market Share'' under Rule 7620B. FINRA is proposing to amend Rule 7630B accordingly. Under the proposed rule change, firms will be required to submit a form to the FINRA/NYSE TRF disclosing their affiliates and update the form if there are changes in affiliate status.[20]

NYSE Market (DE) Inc. believes that automatically aggregating affiliated member activity will guarantee that firms qualify for the highest securities transaction credit based on their overall use of the FINRA/NYSE TRF. Additionally, automatically aggregating affiliated member activity will guarantee that firms are charged the appropriate monthly subscription fee based on their overall OTC activity reported on the FINRA Web site, which will ensure more active firms pay more and less active firms pay less.

FINRA has filed the proposed rule change for immediate effectiveness and the operative date will be October 1, 2016.

2. Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions of Section 15A(b)(5) of the Act,[21] which requires, among other things, that FINRA rules provide for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system that FINRA operates or controls. All similarly situated members are subject to the same fee structure and access to the FINRA/NYSE TRF is offered on fair and non-discriminatory terms.

FINRA believes that the proposed transaction credit schedule under Rule 7610B provides for the equitable allocation of reasonable fees in that it bases the percentage of revenue shared on members' respective contributions to the revenues of the FINRA/NYSE TRF, *i.e.,* market participants that make the most use of the FINRA/NYSE TRF will be eligible for the highest level of revenue sharing with others receiving progressively lower percentages. In addition, FINRA believes that the proposed fee schedule under Rule 7620B provides for the equitable allocation of reasonable fees in that FINRA members that are potentially higher volume users will pay more for access to the FINRA/NYSE TRF, while potentially lower volume users will pay less. While firms with larger volume will pay higher fixed costs, they also will potentially benefit from higher revenue sharing percentages. NYSE Market (DE) Inc., as the Business Member, has indicated that the proposed fee and credit structure will help offset the increased cost of operating the FINRA/NYSE TRF, and as such, FINRA believes that the proposed rule change provides for the equitable allocation of reasonable fees.[22]

FINRA further believes that the proposed fee and credit structure provides for the equitable allocation of reasonable fees in that it will apply only to members that choose to subscribe to the FINRA/NYSE TRF. Access to the FINRA/NYSE TRF is offered on fair and non-discriminatory terms, and FINRA members will continue to have the option of using another FINRA facility for purposes of reporting OTC trades in NMS stocks if they determine that the fees and credits of another facility are more favorable.

Finally, FINRA believes that the proposed rule change to automatically aggregate affiliated firm activity would provide a more streamlined and efficient process for aggregating affiliate activity than the current process, which requires the FINRA/NYSE TRF to affirmatively approve a member's request for aggregation.

[17] After the first two calendar months, a member will be charged regardless of connectivity.

[18] As set forth in *Trade Reporting Notice 1/20/16* (OTC Equity Trading and Reporting in the Event of Systems Issues), a firm that routinely reports its OTC trades in NMS stocks to only one FINRA trade reporting facility must establish and maintain connectivity and report to a second FINRA trade reporting facility, if the firm intends to continue to support OTC trading as an executing broker while its primary facility is experiencing a widespread systems issue.

[19] *See, e.g.,* Rules 7510(a) and 7520 (trade reporting fees and connectivity charges for the ADF) and Rule 7620A (trade reporting fees for the FINRA/Nasdaq TRF).

[20] The affiliate disclosure form that firms will be required to submit under the proposed rule change is attached to this filing as Exhibit 3.

[21] 15 U.S.C. 78*o*-3(b)(5).

[22] NYSE Market (DE) Inc. has indicated that any costs, including regulatory and infrastructure costs, associated with the operation of the FINRA/NYSE TRF that are not covered by market data revenue and trade reporting fees will continue to be funded by NYSE Market (DE) Inc. general revenues.

B. Self-Regulatory Organization's Statement on Burden on Competition

FINRA does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Economic Impact Assessment

NYSE Market (DE), Inc. has indicated that the cost of operating the FINRA/NYSE TRF has increased substantially since 2007, due to rising regulatory costs, the need for additional functionality and the attendant development costs. Therefore, NYSE Market (DE), Inc., as the Business Member, has determined to adjust the FINRA/NYSE TRF fees and market data revenue paid to reporting firms as transaction credits.

The proposed rule change to modify fees and transaction credits applicable to members that use the FINRA/NYSE TRF increases access fees to most reporters and provides for greater revenue sharing, depending on the factors described above. As a whole, the proposed rule change may provide net benefits or impose net costs for member firms to the extent that member firms maintain connectivity and report trades to the FINRA/NYSE TRF.

In the first quarter of 2016, there were 20 firms that subscribed to and/or reported trades to the FINRA/NYSE TRF, of which 12 were in the $500 per month schedule and 8 were in the $1,000 per month schedule. The average fee incurred during the period was estimated to be approximately $1,950 per firm across the 20 firms. Under the current percentages of market data revenue shared, six firms received transaction credits, on average $235,061 per firm in the first quarter of 2016.

Under the proposed fee structure, the average subscriber fee that would have been incurred during the quarter would increase to approximately $24,900 per firm (and approximately $6,000 for smaller firms), assuming that the same 20 firms maintain their subscription and report the same number of trades to the FINRA/NYSE TRF. In the case of the six firms that were eligible for transaction credits, market data revenue shared would also have been higher, due to the proposed increase in the percentage of revenue shared, with an average increase of approximately $40,000 per firm in the first quarter of 2016. Had the proposed fee and revenue share structure been in place, two firms would see a net decrease in the cost of reporting to the TRF, with an average decrease of $35,157. The remaining 18 firms would have experienced an increase averaging $12,353 per quarter.[23] However, NYSE Market (DE) Inc., as the Business Member, believes that at the adjusted market share levels, the percentage of revenue shared represents a more favorable program to reporting firms as compared to other revenue share programs, and thus anticipate an increase in reporting through the FINRA/NYSE TRF. By way of example, one firm, with 0.60% reported share in the first quarter, received 75% revenue share or $281,434.45. Under the proposed structure, the revenue share would increase to 95% or $356,483.64. Additionally, the firm could benefit from more cost savings by reporting additional volume that, in turn, would receive higher revenue sharing than other programs and/or push the firm into a higher revenue sharing tier.

Firms may potentially alter their trading activity in response to the proposed rule change. Specifically, those firms that would incur higher fees may refrain from reporting to the FINRA/NYSE TRF and may choose to report to the ADF and/or FINRA/Nasdaq TRF. Alternatively, such firms may continue reporting or new firms may start reporting to the FINRA/NYSE TRF if they find that the proposed net cost of reporting and other functionalities provided represent the best value to their business. The net effect on any individual member firm of the proposed increase in reporting fees and amount of revenue shared will depend on the firm's OTC market share and reporting to the FINRA/NYSE TRF.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor 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) of the Act[24] and paragraph (f)(2) of Rule 19b–4 thereunder.[25] 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 necessary or appropriate in the public interest, for the protection of investors, or 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 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–FINRA–2016–037 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–FINRA–2016–037. 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 also will be available for inspection and copying at the principal office of FINRA. 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

[23] The reporting fee and transaction credit estimates are highly sensitive to the assumptions that the same firms would be reporting the same level of activity to the FINRA/NYSE TRF. In case there is a change in the composition of the reporting firms and/or the level of reporting activity in response to the proposed changes or other exogenous events, the estimates can vary significantly.

[24] 15 U.S.C. 78s(b)(3)(A).

[25] 17 CFR 240.19b–4(f)(2).

should refer to File Number SR–FINRA–2016–037, and should be submitted on or before November 2, 2016.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[26]

Dated: October 5, 2016.

Brent J. Fields,

Secretary.

[FR Doc. 2016–24575 Filed 10–11–16; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 32306; File No. 812–14609]

Harris Associates Investment Trust, et al.; Notice of Application

October 5, 2016.

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice of an application for an order pursuant to: (a) Section 6(c) of the Investment Company Act of 1940 (''Act'') granting an exemption from sections 18(f) and 21(b) of the Act; (b) section 12(d)(1)(J) of the Act granting an exemption from section 12(d)(1) of the Act; (c) sections 6(c) and 17(b) of the Act granting an exemption from sections 17(a)(1), 17(a)(2) and 17(a)(3) of the Act; and (d) section 17(d) of the Act and rule 17d–1 under the Act to permit certain joint arrangements and transactions. Applicants request an order that would permit certain registered open-end management investment companies to participate in a joint lending and borrowing facility.

APPLICANTS: Harris Associates Investment Trust (the ''Trust''), a Massachusetts business trust registered under the Act as an open-end management investment company with multiple series and Harris Associates L.P. (the ''Adviser''), a Delaware limited partnership registered as an investment adviser under the Investment Advisers Act of 1940.

FILING DATES: The application was filed on February 8, 2016 and amended on June 21, 2016.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on October 31, 2016 and should be accompanied by proof of service on the applicants, in the form of an affidavit, or, for lawyers, a certificate of service. Pursuant to Rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: Secretary, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090; Applicants: 111 S. Wacker Drive, Suite 4600, Chicago, Illinois 60606–4319.

FOR FURTHER INFORMATION CONTACT: Emerson S. Davis, Senior Counsel, at (202) 551–6868 or Daniele Marchesani, Branch Chief, at (202) 551–6821 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or an applicant using the Company name box, at *http://www.sec.gov/search/search.htm* or by calling (202) 551–8090.

Summary of the Application

1. Applicants request an order that would permit the applicants to participate in an interfund lending facility where each Fund could lend money directly to and borrow money directly from other Funds to cover unanticipated cash shortfalls, such as unanticipated redemptions or trade fails.[1] The Funds will not borrow under the facility for leverage purposes and the loans' duration will be no more than 7 days.[2]

2. Applicants anticipate that the proposed facility would provide a borrowing Fund with a source of liquidity at a rate lower than the bank borrowing rate at times when the cash position of the Fund is insufficient to meet temporary cash requirements. In addition, Funds making short-term cash loans directly to other Funds would earn interest at a rate higher than they otherwise could obtain from investing their cash in repurchase agreements or certain other short term money market instruments. Thus, applicants assert that the facility would benefit both borrowing and lending Funds.

3. Applicants agree that any order granting the requested relief will be subject to the terms and conditions stated in the Application. Among others, the Adviser, through a designated committee, would administer the facility as a disinterested fiduciary as part of its duties under the investment management agreements with the Funds and would receive no additional fee as compensation for its services in connection with the administration of the facility. The facility would be subject to oversight and certain approvals by the Funds' Board, including, among others, approval of the interest rate formula and of the method for allocating loans across Funds, as well as review of the process in place to evaluate the liquidity implications for the Funds. A Fund's aggregate outstanding interfund loans will not exceed 15% of its net assets, and the Fund's loans to any one Fund will not exceed 5% of the lending Fund's net assets.[3]

4. Applicants assert that the facility does not raise the concerns underlying section 12(d)(1) of the Act given that the Funds are part of the same group of investment companies and there will be no duplicative costs or fees to the Funds.[4] Applicants also assert that the proposed transactions do not raise the concerns underlying sections 17(a)(1), 17(a)(3), 17(d) and 21(b) of the Act as the Funds would not engage in lending transactions that unfairly benefit insiders or are detrimental to the Funds. Applicants state that the facility will offer both reduced borrowing costs and enhanced returns on loaned funds to all participating Funds and each Fund would have an equal opportunity to borrow and lend on equal terms based on an interest rate formula that is objective and verifiable. With respect to the relief from section 17(a)(2) of the Act, applicants note that any collateral pledged to secure an interfund loan would be subject to the same conditions imposed by any other lender to a Fund

[26] 17 CFR 200.30–3(a)(12).

[1] Applicants request that the order apply to the applicants and to any existing or future registered open-end management investment company or series thereof for which the Adviser or any successor thereto or an investment adviser controlling, controlled by, or under common control with the Adviser or any successor thereto serves as investment adviser (each a ''Fund'' and collectively the ''Funds'' and each such investment adviser an ''Adviser''). For purposes of the requested order, ''successor'' is limited to any entity that results from a reorganization into another jurisdiction or a change in the type of a business organization. Applicants are not requesting that the order also apply, and the order will not apply, to any fund or series that is a money market fund that complies with Rule 2a–7 under the Act.

[2] Any Fund, however, will be able to call a loan on one business day's notice.

[3] Under certain circumstances, a borrowing Fund will be required to pledge collateral to secure the loan.

[4] Applicants state that the obligation to repay an interfund loan could be deemed to constitute a security for the purposes of sections 17(a)(1) and 12(d)(1) of the Act.

that imposes conditions on the quality of or access to collateral for a borrowing (if the lender is another Fund) or the same or better conditions (in any other circumstance).[5]

5. Applicants also believe that the limited relief from section 18(f)(1) of the Act that is necessary to implement the facility (because the lending Funds are not banks) is appropriate in light of the conditions and safeguards described in the application and because the Funds would remain subject to the requirement of section 18(f)(1) that all borrowings of a Fund, including combined interfund loans and bank borrowings, have at least 300% asset coverage.

6. Section 6(c) of the Act permits the Commission to exempt any persons or transactions from any provision of the Act if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Section 12(d)(1)(J) of the Act provides that the Commission may exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision of section 12(d)(1) if the exemption is consistent with the public interest and the protection of investors. Section 17(b) of the Act authorizes the Commission to grant an order permitting a transaction otherwise prohibited by section 17(a) if it finds that (a) the terms of the proposed transaction are fair and reasonable and do not involve overreaching on the part of any person concerned; (b) the proposed transaction is consistent with the policies of each registered investment company involved; and (c) the proposed transaction is consistent with the general purposes of the Act. Rule 17d–1(b) under the Act provides that in passing upon an application filed under the rule, the Commission will consider whether the participation of the registered investment company in a joint enterprise, joint arrangement or profit sharing plan on the basis proposed is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of the other participants.

[5] Applicants state that any pledge of securities to secure an interfund loan could constitute a purchase of securities for purposes of section 17(a)(2) of the Act.

For the Commission, by the Division of Investment Management, under delegated authority.

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2016–24568 Filed 10–11–16; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–79053; File No. SR–BatsBZX–2016–35]

Self-Regulatory Organizations; Bats BZX Exchange, Inc.; Order Granting Approval of a Proposed Rule Change, as Modified by Amendment Nos. 1, 2, and 3, To List and Trade Shares of the JPMorgan Global Bond Opportunities ETF of the J.P. Morgan Exchange-Traded Fund Trust Under BZX Rule 14.11(i), Managed Fund Shares

October 5, 2016.

I. Introduction

On July 1, 2015, Bats BZX Exchange, Inc. (''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] a proposed rule change to list and trade shares (''Shares'') of the JPMorgan Global Bond Opportunities ETF (''Fund'') of the J.P. Morgan Exchange-Traded Fund Trust (''Trust'') under BZX Rule 14.11(i). The proposed rule change was published for comment in the **Federal Register** on July 14, 2016.[4] On August 18, 2016, the Commission extended the time period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change to October 12, 2016.[5] On August 30, 2016, the Exchange filed Amendment No. 1 to the proposed rule change. On October 3, 2016, the Exchange filed Amendment No. 2 to the proposed rule change.[6] On October 4, 2016, the Exchange filed Amendment No. 3 to the proposed rule change.[7] The Commission received no comments on the proposed rule change. This order grants approval of the proposed rule change, as modified by Amendment Nos. 1, 2, and 3.

II. Description of the Proposal

The Exchange proposes to list and trade the Shares under BZX Rule 14.11(i), which governs the listing and trading of Managed Fund Shares on the Exchange. The Shares will be offered by the Trust. According to the Exchange, the Trust is registered with the Commission as an open-end investment company and has filed a registration statement with respect to the Fund on Form N–1A (''Registration Statement'') with the Commission.[8]

J.P. Morgan Investment Management Inc. will be the investment adviser (''Adviser'') to the Fund. The Adviser will serve as the administrator for the Fund. SEI Investments Distribution Co. serves as the distributor for the Trust. JPMorgan Chase Bank, N.A. will act as the custodian and transfer agent for the Trust. The Exchange states that the Adviser is not registered as a broker-dealer but that the Adviser is affiliated with a broker-dealer and has implemented a ''fire wall'' with respect to such broker-dealer regarding access to

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Securities Exchange Act Release No. 78264 (July 8, 2016), 81 FR 45546 (''Notice'').

[5] *See* Securities Exchange Act Release No. 78613 (August 18, 2016), 81 FR 57967 (August 24, 2016).

[6] Amendment No. 2 replaced Amendment No. 1, which amended and replaced the original filing in its entirety. In Amendment No. 2, the Exchange: (1) clarified the Fund's investments in instruments that provide exposure to countries other than the U.S.; (2) added the defined terms ''Bonds'' and ''Non-Bonds'' to describe and clarify some of the Fund's investments; (3) provided additional detail regarding restrictions on the Fund's investments in non-agency asset-backed securities; (4) clarified restrictions on the Fund's investments in municipal securities; (5) provided additional clarity regarding the definition of private placements, restricted securities, and unregistered securities, as well as restrictions on such holdings; (6) provided additional description of restrictions on the Fund's structured investments; (7) provided additional clarification regarding the types of derivatives and foreign currency transactions in which the Fund may invest; (8) provided additional detail regarding the Fund's coverage of options; (9) provided additional detail regarding the commodity-related pooled investment vehicles that the Fund may hold; and (10) provided additional clarification regarding the Fund's valuation of convertible securities, warrants and rights, and custodial receipts. Because the changes in Amendment No. 2 to the proposed rule change clarify certain statements in the proposal and do not materially alter the substance of the proposed rule change or raise any novel regulatory issues, it is not subject to notice and comment.

[7] In Amendment No. 3, which partially amended Amendment No. 2 to the proposed rule change, the Exchange: (i) Added a citation to a Commission Order in support of proposed restrictions on the Fund's investments in municipal securities; and (ii) consolidated footnotes into a single footnote. Amendment No. 3 is not subject to notice and comment because it is a technical amendment that does not materially alter the substance of the proposed rule change or raise any novel regulatory issues.

[8] *See* Registration Statement on Form N–1A for the Trust, dated May 26, 2016 (File Nos. 333–191837 and 811–22903). The Exchange states that the Commission has issued an order granting certain exemptive relief to the Trust under the Investment Company Act of 1940 (''1940 Act''). *See* Investment Company Act Release No. 31990 (February 9, 2016) (File No. 812–13761).

information concerning the composition and/or changes to the Fund's portfolio.[9] In the event (a) the Adviser becomes registered as a broker-dealer or newly affiliated with a broker-dealer, or (b) any new adviser or sub-adviser is a registered broker-dealer or becomes affiliated with a broker-dealer, it will implement a fire wall with respect to its relevant personnel or broker-dealer affiliate regarding access to information concerning the composition and/or changes to the portfolio, and will be subject to procedures designed to prevent the use and dissemination of material non-public information regarding such portfolio.[10]

The Exchange has made the following representations and statements in describing the Funds.[11]

Principal Investments for the Fund

The Fund will seek to provide total return by investing across sectors in developed and emerging markets located around the world. The Fund will be an actively-managed fund that does not seek to replicate the performance of a specified index. Because the Fund will not be managed to a benchmark, the Adviser will have broad discretion to shift the Fund's exposure to strategies, sectors, countries or currencies based on changing market conditions and its view of the best mix of investment opportunities. In buying and selling investments for the Fund, the Adviser will allocate the Fund's exposure to strategies, sectors, countries and currencies based on the Adviser's analysis of individual investments and broader economic conditions in individual countries, regions and the world. According to the Exchange, this will allow the Adviser to take a conservative approach during uncertain periods and move into higher risk opportunities as market conditions improve, which may result in the Fund focusing in only a few markets and sectors.[12]

The Fund may invest in instruments that provide exposure to developed or emerging markets. The Exchange states that emerging markets currently include most countries in the world except Australia, Canada, Japan, New Zealand, the U.S., the United Kingdom and most western European countries and Hong Kong.[13] In managing the Fund, the Adviser will seek to diversify the Fund's portfolio by investing in instruments that provide exposure to at least three countries other than the U.S. The Fund may invest a substantial part of its assets in just one country and is not required to allocate its investments in any set percentages in any particular countries.

Although the Fund will have the flexibility to invest without limit in securities that are rated below investment grade (also known as junk bonds or high yield securities), or the unrated equivalent, the Fund generally will invest at least 25% of the Fund's assets in securities that at the time of purchase are rated investment grade or the unrated equivalent. The Fund will have flexibility to decrease the percentage of its assets invested in investment grade securities at any time to take advantage of higher risk opportunities when market conditions are improving.

The Fund currently seeks to maintain a duration of eight years or less, although the Fund will have the flexibility to maintain a longer duration under certain market conditions such as significant volatility in interest rates and spreads. As part of its principal investment strategy and for temporary defensive purposes, any portion of the Fund's total assets may be invested in cash and cash equivalents.

The Fund intends to achieve its investment objective by investing, under normal circumstances,[14] at least 80% of its net assets (plus the amount of borrowings for investment purposes) (''Assets'') in bonds (a debt security with a maturity of 90 days or more at the time of its issuance) (''Bonds'') and Non-Bonds, as defined below, subject to certain limits described below. The Exchange defines Bonds as the following instruments: Asset-backed securities [15] (including mortgages, mortgage dollar rolls, and stripped mortgage-backed securities); bank obligations; commercial paper; convertible bonds; corporate debt securities; [16] inflation-linked debt securities; inverse floating rate instruments; municipal securities; [17] obligations of supranational agencies; private placements, restricted securities, and other unregistered securities; [18]

[9] *See* Notice, *supra* note 4, 80 FR at 45547.

[10] *See id.*

[11] The Commission notes that additional information regarding the Trust, the Funds, and the Shares, including investment strategies, risks, creation and redemption procedures, calculation of net asset value (''NAV''), fees, distributions, and taxes, among other things, can be found in the Notice, Amendment No. 2, and Registration Statement, as applicable. *See* Notice, *supra* note 4, Amendment No. 2, *supra* note 6, and Registration Statement, *supra* note 8.

[12] *See* Notice, *supra* note 4, 80 FR at 45547.

[13] *See id.*

[14] The term ''under normal circumstances'' includes, but is not limited to, the absence of extreme volatility or trading halts in the fixed income markets or the financial markets generally; operational issues causing dissemination of inaccurate market information; or force majeure type events such as systems failure, natural or man-made disaster, act of God, armed conflict, act of terrorism, riot or labor disruption or any similar intervening circumstance.

[15] The Exchange represents that the Fund will not invest more than 20% of the Fund's total assets in non-agency ABS. *See* Notice, *supra* note 4, 80 FR at 45547, and Amendment No. 2, *supra* note 6.

[16] According to the Exchange, although the Fund is permitted to invest without restriction in corporate bonds, the Adviser expects that, under normal circumstances, the Fund will generally seek to invest in corporate bond issuances that have at least $100,000,000 par amount outstanding. The Exchange represents that component corporate bonds that in the aggregate account for at least 75% of the weight of corporate bonds will have a minimum original principal outstanding of $100 million or more.

[17] The Exchange states that municipal securities held by the Fund will be rated Baa3/BBB- or higher by at least two of the following ratings agencies if all three agencies rate the security: Moody's, S&P and Fitch. If only two of the three agencies rate the security, the lower rating will be used. If only one of the three agencies rates a security, the rating must be at least Baa3/BBB-. The Exchange represents that municipal securities held by the Fund will have an outstanding par value of at least $7 million and be issued as part of a transaction of at least $75 million. The Exchange further represents that the Fund will not invest more than 20% of the Fund's total assets in municipal securities. *See* Notice, *supra* note 4, 80 FR at 45548 n.14, and Amendment No. 2, *supra* note 6.

[18] According to the Exchange, private placement, restricted securities, and other unregistered securities include only the following: (1) Commercial obligations issued in reliance on the so-called ''private placement'' exemption from registration afforded by Section 4(a)(2) under the Securities Act of 1933, as amended (the ''Securities Act''); or (2) securities that are not registered under the Securities Act, but which can be offered and sold to ''qualified institutional buyers'' under Rule 144A under the Securities Act. The Exchange states that in the aggregate, the Fund may invest up to 20% of its total assets in the following instruments: (i) Structured investments; and (ii) private placements, restricted securities, and other unregistered securities, although this 20% limitation does not apply to private placements, restricted securities, and other unregistered securities (collectively, ''Unregistered Securities'') that satisfy the generic fixed income listing requirements in BZX Rule 14.11(i)(4)(C)(ii)(d) (the ''Fixed Income Rule'') measured at the time of purchase. The Exchange represents that the only Unregistered Securities that will not be subject to the 20% limitation must be either: (a) From issuers that are required to file reports pursuant to Sections 13 and 15(d) of the Act; (b) from issuers that have a worldwide market value of its outstanding common equity held by non-affiliates of $700 million or more; (c) from issuers that have outstanding securities that are notes, bonds, debentures, or evidence of indebtedness having a total remaining principal amount of at least $1 billion; (d) exempted securities as defined in Section 3(a)(12) of the Act; or (e) from issuers that are a government of a foreign country or a political subdivision of a foreign country. The Exchange states that if, subsequent to purchase by the Fund, an Unregistered Security that was previously not subject to this 20% limitation because it met the Fixed Income Rule at the time of purchase no longer meets the Fixed Income Rule, the Fund may continue to hold the Unregistered Security and the Unregistered Security will not cause the Fund to violate the 20% limitation. However, the Exchange represents that the Unregistered Security that no longer meets the Fixed Income Rule will be taken into account for purposes of determining whether purchases of additional structured investments and

Continued

securities issued in connection with reorganizations and corporate restructurings; sovereign obligations; structured investments; treasury receipts; trust preferreds; U.S. Government Agency Securities; U.S. Government obligations; and zero-coupon, pay-in-kind, and deferred payment securities. Bonds may have fixed or variable interest rates and may be of any maturity.

The Fund may also invest in the following instruments as part of its principal investment strategy (''Non-Bonds''): Custodial receipts; derivatives, including only options,[19] swaps,[20] and futures; [21] exchange traded funds (''ETFs''); [22] foreign currency transactions; [23] investment company securities that are not ETFs; preferred stock; and short-term funding agreements.

Other Portfolio Holdings

While the Adviser, under normal circumstances, will invest at least 80% of the Fund's Assets in Bonds and Non-Bonds, the Adviser may invest up to 20% of the Fund's Assets in other securities and financial instruments, as described below.

The Fund may invest in auction rate securities, which include auction rate municipal securities and auction rate preferred securities issued by closed-end investment companies.

The Fund may invest in Brady Bonds, which are securities created through the exchange of existing commercial bank loans to sovereign entities for new obligations in connection with a debt restructuring.

The Exchange states that the Fund may invest in commodity-related pooled investment vehicles, which include only the following instruments and their equivalent products on other national stock exchanges: Trust Issued Receipts (as defined in BZX Rule 14.11(f)); Commodity-Based Trust Shares (as defined in BZX Rule 14.11(e)(4)); Currency Trust Shares (as defined in BZX Rule 14.11(e)(5)); Commodity Index Trust Shares (as defined in BZX Rule 14.11(e)(6)); Trust Units (as defined in Rule BZX 14.11(e)(9)); and Paired Class Shares (as defined in NASDAQ Stock Market LLC Rule 5713).[24] The Fund will not invest in inverse or leveraged (*e.g.,* 2X, –2X, 3X or –3X) commodity-related pooled investment vehicles.

The Fund may invest in U.S. equity securities. Equity securities are securities that represent an ownership interest (or the right to acquire such an interest) in a company and include common and preferred stock, warrants, and rights. The Fund's investments in such U.S. equity securities may include securities traded over-the-counter as well as those traded on a securities exchange. The Fund may purchase such securities on a forward commitment or when-issued or delayed delivery basis, which means delivery and payment take place a number of days after the date of the commitment to purchase. The Fund may invest in exchange-traded master limited partnerships (''MLPs'').

The Fund may purchase exchange-traded common stocks, exchange-traded warrants, and exchange-traded rights in foreign corporations. The Fund's investments in common stock of foreign corporations may also be in the form of American Depositary Receipts (''ADRs''), Global Depositary Receipts and European Depositary Receipts (collectively ''Depositary Receipts'').[25]

The Fund may invest in convertible securities traded on an exchange or OTC that are not described in the Principal Holdings section above. Convertible securities are securities that may be converted or exchanged (by the holder or by the issuer) into shares of the underlying common stock (or cash or securities of equivalent value) at a stated exchange ratio. Convertible securities include contingent convertible securities.

The Fund may invest in loan assignments and participations, which are assignments of, or participations in, all or a portion of loans to corporations or to governments, including governments in less developed countries. The Fund may also invest in commitments to purchase loan assignments.

Investment Restrictions

The Fund may hold up to an aggregate amount of 15% of its Assets in illiquid assets (calculated at the time of investment), including restricted securities deemed illiquid by the Adviser under the 1940 Act. The Fund will monitor its portfolio liquidity on an ongoing basis to determine whether, in light of current circumstances, an adequate level of liquidity is being maintained, and will consider taking appropriate steps in order to maintain adequate liquidity if, through a change in values, Assets, or other circumstances, more than 15% of the Fund's Assets are held in illiquid assets. A security is considered illiquid if it cannot be sold or disposed of in the ordinary course of business within 7 days at approximately the value at which it is being carried by the Fund.

The Fund intends to qualify each year as a regulated investment company (a ''RIC'') under Subchapter M of the Internal Revenue Code of 1986, as amended. The Fund will invest its assets, and otherwise conduct its operations, in a manner that is intended to satisfy the qualifying income, diversification, and distribution requirements necessary to establish and maintain RIC qualification under Subchapter M.

III. Discussion and Commission Findings

After careful review, the Commission finds that the Exchange's proposal to list and trade the Shares is consistent with the Exchange Act and the rules and regulations thereunder applicable to a national securities exchange.[26] In

Unregistered Securities that do not meet the Fixed Income Rule will cause the Fund to violate such limitation. *See* Notice, *supra* note 4, 80 FR at 45548 and Amendment No. 2, *supra* note 6.

[19] According to the Exchange, the Fund may invest in OTC and exchange-traded call and put options, including only the following: Fixed income securities, currencies, futures, and indexes of fixed income, currencies, or credit default swaps. The Exchange states that the Fund will segregate an amount of cash, cash equivalents, or liquid securities sufficient to cover any obligations arising under the options as required under Section 18 of the 1940 Act. *See* Notice, *supra* note 4, 80 FR at 45548 n.22 and Amendment No. 2, *supra* note 6.

[20] The Exchange states that the Fund may invest in only the following types of swaps: Interest rate swaps, credit default swaps, currency swaps, and total return swaps on equities, bonds, equity indexes, bond indexes, commodities, and commodity indexes. The Fund may also invest in swaptions based on any of the foregoing types of swaps. *See* Notice, *supra* note 4, 80 FR at 45548 n.23 and Amendment No. 2, *supra* note 6.

[21] According to the Exchange, the Fund may invest in only the following types of futures: Interest rate futures, bond futures, equity futures, currency futures, and commodity futures. *See* Amendment No. 2, *supra* note 6.

[22] The Exchange represents that all ETFs in which the Fund invests will be listed and traded in the U.S. on registered exchanges. The Fund will not invest in inverse or leveraged (*e.g.,* 2X, –2X, 3X or –3X) ETFs. *See* Notice, *supra* note 4, 80 FR at 45548 n.24.

[23] According to the Exchange, foreign currency transactions will be used to hedge against currency risks, for other risk management purposes, to increase income or gain to the Fund, and/or for other investment purposes and, in addition to the derivative strategies described above, may include only the following: Spot and forward foreign currency transactions (including non-deliverable forwards and forward rate agreements). The Fund may engage in such transactions in both U.S. and non-U.S. markets. *See* Notice, *supra* note 4, 80 FR at 45548 n.25 and Amendment No. 2, *supra* note 6.

[24] *See* Notice, *supra* note 4, 80 FR at 45548 and Amendment No. 2, *supra* note 6.

[25] According to the Exchange, the Fund will not invest in unsponsored ADRs. The Exchange states that all exchange-traded equity securities in which the Fund may invest will trade on markets that are members of the Intermarket Surveillance Group (''ISG'') or that have entered into a comprehensive surveillance agreement with the Exchange. *See* Notice, *supra* note 4, 80 FR at 45548 n.28.

[26] In approving this proposed rule change, the Commission has considered the proposed rule's

particular, the Commission finds that the proposed rule change, as modified by Amendment Nos. 1, 2, and 3, is consistent with Section 6(b)(5) of the Exchange Act,[27] which requires, among other things, that the Exchange's rules be designed to promote just and equitable principles of trade, 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.

The Commission finds that the proposal to list and trade the Shares on the Exchange is consistent with Section 11A(a)(1)(C)(iii) of the Exchange Act,[28] which sets forth Congress' finding that it is in the public interest and appropriate for the protection of investors and the maintenance of fair and orderly markets to assure the availability to brokers, dealers and investors of information with respect to quotations for and transactions in securities. Quotation information from brokers and dealers or pricing services will be available for U.S. government obligations. Quotation and price information for Bonds, auction rate securities, when-issued securities, delayed delivery securities, and forward commitments, loan assignments and participations, Brady Bonds, mortgages, common stock warrants and rights, CDS, and foreign currency transactions will be available via major market data vendors or broker dealers that make markets in such instruments. Quotation and last sale information for the Shares will be available on the facilities of the Consolidated Tape Association (''CTA''). Information regarding market price and volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. The previous day's closing price and trading volume information for the Shares will be published daily in the financial section of newspapers. Daily trading volume information for the Fund will also be available through subscription services such as Bloomberg, Thomson Reuters, and International Data Corporation, which can be accessed by authorized participants and other investors, as well as through other electronic services, including major public Web sites.

In addition, the ''Intraday Indicative Value'' [29] will be updated and widely disseminated by one or more major market data vendors at least every 15 seconds during the Exchange's Regular Trading Hours.[30] On each business day, before commencement of trading in Shares during Regular Trading Hours on the Exchange, the Fund will disclose on its Web site the identities and quantities of the portfolio of securities and other assets (the ''Disclosed Portfolio'') held by the Fund that will form the basis for the Fund's calculation of NAV at the end of the business day.[31] The Web site for the Fund will include a form of the prospectus for the Fund and additional data relating to NAV and other applicable quantitative information. The Web site and information will be publicly available at no charge.

Intraday, closing, and settlement prices of common stocks and other exchange-listed instruments (including futures, options, Depositary Receipts, preferred securities, convertible securities, warrants, rights, MLPs, commodity-related pooled investment vehicles, and ETFs) will be readily available from the exchanges trading such securities as well as automated quotation systems, published or other public sources, or online information services such as Bloomberg or Reuters. In addition, price information for U.S. exchange-traded options will be available from the Options Price Reporting Authority.

The Commission further believes that the proposal to list and trade the Shares is reasonably designed to promote fair disclosure of information that may be necessary to price the Shares appropriately and to prevent trading when a reasonable degree of transparency cannot be assured. The NAV of the Fund's Shares generally will be calculated once daily Monday through Friday as of the close of regular trading on the Exchange, generally 4:00 p.m. Eastern Time (the ''NAV Calculation Time'') on each day that the Exchange is open for trading, based on prices at the NAV Calculation Time. The Exchange will obtain a representation from the issuer of the Shares that the NAV will be calculated daily and that the NAV and the Disclosed Portfolio will be made available to all market participants at the same time.[32]

Trading in the Shares will be subject to BZX Rules 11.18 and 14.11(i)(4)(B)(iv), which sets forth circumstances under which Shares of the Fund may be halted. Trading may be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. These may include: (1) The extent to which trading is not occurring in the securities and/or the financial instruments composing the Disclosed Portfolio of a Fund; or (2) whether other unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market are present.

The Reporting Authority that provides the Disclosed Portfolio must implement and maintain, or be subject to, procedures designed to prevent the use and dissemination of material, non-public information regarding the actual components of the portfolio.[33] The Exchange represents that it prohibits the distribution of material non-public information by its employees.[34] The Exchange states that the Adviser is not registered as a broker-dealer but that the Adviser is affiliated with a broker-dealer. In addition, the Exchange states that the Adviser has implemented a ''fire wall'' with respect to such broker-dealer regarding access to information concerning the composition and/or changes to the Fund's portfolio.[35] In the event (a) the Adviser becomes registered as a broker-dealer or newly affiliated with a broker-dealer, or (b) any new adviser or sub-adviser is a registered broker-dealer or becomes affiliated with a broker-dealer, it will implement a fire wall with respect to its relevant personnel or broker-dealer affiliate regarding access to information concerning the composition and/or changes to the portfolio, and will be subject to procedures designed to prevent the use and dissemination of material non-public information regarding such portfolio.

The Exchange may obtain information regarding trading in the Shares and the underlying shares in exchange traded investment companies, U.S. equity securities, foreign equity securities, futures, and options via the ISG, from

impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[27] 15 U.S.C. 78f(b)(5).

[28] 15 U.S.C. 78k–1(a)(1)(C)(iii).

[29] According to the Exchange, the Intraday Indicative Value for each Fund will reflect an estimated intraday value of such Fund's portfolio, and will be based upon the current value for the components of the Disclosed Portfolio (as defined below). The quotations of certain of the Fund's holdings may not be updated during U.S. trading hours if such holdings do not trade in the United States or if updated prices cannot be ascertained. The Exchange's Regular Trading Hours are 9:30 a.m. to 4:00 p.m. Eastern Time.

[30] The Exchange notes that that several major market data vendors display and/or make widely available Intraday Indicative Values published via the CTA or other data feeds.

[31] Under accounting procedures to be followed by the Fund, trades made on the prior business day (''T'') will be booked and reflected in NAV on the current business day (''T+1''). Accordingly, the Fund will be able to disclose at the beginning of the business day the portfolio that will form the basis for the NAV calculation at the end of the business day.

[32] *See* Notice, *supra* note 4, 80 FR 45551.

[33] *See* BZX Rule 14.11(i)(4)(B)(ii)(b).

[34] *See* Notice, *supra* note 4, 80 FR at 45552.

[35] *See id.*

other exchanges who are members or affiliates of the ISG, or with which the Exchange has entered into a comprehensive surveillance sharing agreement.[36] In addition, the Exchange is able to access, as needed, trade information for certain fixed income instruments reported to FINRA's Trade Reporting and Compliance Engine. The Exchange can also access municipal bond trading activity for surveillance purposes in connection with trading in the Shares through the Electronic Municipal Market Access (''EMMA'') [37] of the Municipal Securities Rulemaking Board.

The Exchange represents that it deems the Shares to be equity securities, thus rendering trading in the Shares subject to the Exchange's existing rules governing the trading of equity securities. In support of this proposal, the Exchange has made the following representations:

(1) The Shares will be subject to BZX Rule 14.11(i), which sets for the initial and continued listing criteria applicable to Managed Fund Shares.

(2) The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions.

(3) Trading of the Shares through the Exchange will be subject to the Exchange's surveillance procedures for derivative products, including Managed Fund Shares, and such surveillance procedures are adequate to properly monitor the trading of the Shares on the Exchange during all trading sessions and to deter and detect violations of Exchange rules and the applicable federal securities laws.

(4) Prior to the commencement of trading, the Exchange will inform its members in an Information Circular of the special characteristics and risks associated with trading the Shares. Specifically, the Information Circular will discuss the following: (a) The procedures for purchases and redemptions of Shares in creation units (and that Shares are not individually redeemable); (b) BZX Rule 3.7, which imposes suitability obligations on Exchange members with respect to recommending transactions in the Shares to customers; (c) how information regarding the Intraday Indicative Value and Disclosed Portfolio is disseminated; (d) the risks involved in trading the Shares during the Pre-Opening and After Hours Trading Sessions (as defined in the Exchange's rules) when an updated Intraday Indicative Value will not be calculated or publicly disseminated; (e) the requirement that members deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction; and (f) trading information.

(5) For initial and continued listing, the Fund must be in compliance with Rule 10A–3 under the Act.[38]

(6) The Fund will not invest more than 20% of the Fund's total assets in non-agency ABS.

(7) The Fund will not invest more than 20% of the Fund's total assets in municipal securities.

(8) In the aggregate, the Fund will not invest more than 20% of its total assets in the following instruments: (a) Structured investments; and (b) Unregistered Securities that do not satisfy the generic fixed income listing requirements in BZX Rule 14.11(i)(4)(C)(ii)(d) measured at the time of purchase. An Unregistered Security that no longer meets the generic fixed income listing requirements of BZX Rule 14.11(i)(4)(C)(ii)(d) will be taken into account for purposes of determining whether purchases of additional structured investments and Unregistered Securities that do not meet the Fixed Income Rule will cause the Fund to violate this 20% limitation.

(9) The Fund will not invest in inverse or leveraged (*e.g.,* 2X, –2X, 3X or –3X) commodity-related pooled investment vehicles.

(10) All exchange-traded equity securities in which the Fund may invest will trade on markets that are ISG members or that have entered into a comprehensive surveillance agreement with the Exchange.

(11) The Fund may hold up to an aggregate amount of 15% of the Fund's Assets in illiquid assets (calculated at the time of investment), including restricted securities deemed illiquid by the Adviser under the 1940 Act.

(12) A minimum of 100,000 Shares for each Fund will be outstanding at the commencement of trading on the Exchange.

The Exchange represents that all statements and representations made in the filing regarding (a) the description of the portfolio, (b) limitations on portfolio holdings or reference assets, or (c) the applicability of Exchange rules and surveillance procedures constitute continued listing requirements for listing the Shares on the Exchange. In addition, the issuer has represented to the Exchange that it will advise the Exchange of any failure by a Fund to comply with the continued listing requirements, and, pursuant to its obligations under Section 19(g)(1) of the Act, the Exchange will surveil for compliance with the continued listing requirements. If a Fund is not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under Exchange Rule 14.12.

This approval order is based on all of the Exchange's representations, including those set forth above and in Amendment Nos. 2 and 3. The Commission notes that the Funds and the Shares must comply with the requirements of BZX Rule 14.11(i) to be initially and continuously listed and traded on the Exchange.

For the foregoing reasons, the Commission finds that the proposed rule change, as modified by Amendment Nos. 1, 2, and 3, is consistent with Section 6(b)(5) of the Act [39] and Section 11A(a)(1)(C)(iii) of the Act [40] and the rules and regulations thereunder applicable to a national securities exchange.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[41] that the proposed rule change (SR–BatsBZX–2016–35), as modified by Amendment Nos. 1, 2, and 3, be, and it hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[42]

Brent J. Fields,

Secretary.

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[36] For a list of the current members and affiliate members of ISG, *see www.isgportal.com.* The Exchange notes that not all components of the Disclosed Portfolio for the Fund may trade on markets that are members of ISG or with which the Exchange has in place a comprehensive surveillance sharing agreement. The Exchange also notes that all exchange-traded instruments, including ETFs, commodity-related pooled investment vehicles, futures, and options will trade on markets that are a member or affiliate of ISG or with which the Exchange has in place a comprehensive surveillance sharing agreement.

[37] Information available from EMMA includes next-day information regarding municipal securities transactions and par amounts traded.

[38] *See* 17 CFR 240.10A–3.

[39] 15 U.S.C. 78f(b)(5).

[40] 15 U.S.C. 78k–1(a)(1)(C)(iii).

[41] 15 U.S.C. 78s(b)(2).

[42] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–79054; File No. SR–NYSEArca–2016–137]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the NYSE Arca Equities Schedule of Fees and Charges for Exchange Services To Revise the Requirements for the Current Step Up Tier

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (the ''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on September 29, 2016, NYSE Arca, Inc. (the ''Exchange'' or ''NYSE Arca'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. 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 proposes to amend the NYSE Arca Equities Schedule of Fees and Charges for Exchange Services (the ''Fee Schedule'') to revise the requirements for the current Step Up Tier. The Exchange proposes to implement the fee change effective October 3, 2016. The proposed rule change is available on the Exchange's Web site at *www.nyse.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 self-regulatory organization 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 those 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.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule to revise the requirements for the current Step Up Tier. The Exchange proposes to implement the fee change effective October 3, 2016.

Step Up Tier

The Exchange recently adopted a Step Up Pricing Tier.[4] Currently, ETP Holders and Market Makers qualify for a Step Up Tier credit of $0.0029 per share for providing liquidity in Tape A and Tape C Securities and $0.0028 per share for providing liquidity in Tape B Securities. The Step Up Tier credits apply to ETP Holders and Market Makers that, on a daily basis, measured monthly,

(i) directly execute providing average daily volume (''ADV'') on NYSE Arca in an amount that is an increase of no less than 0.15% of United States consolidated average daily volume (''US CADV'') in Tape A, Tape B and Tape C Securities for that month over the ETP Holder's or Market Maker's providing ADV in July 2016 (''Baseline Month''), and

(ii) set a new Best Bid or Offer (''BBO'') on the Exchange with at least 40% of the ETP Holder's or Market Maker's providing ADV.

As an incentive for ETP Holders and Market Makers to direct their order flow to the Exchange, for the months of September 2016 and October 2016 only, the Exchange adopted lower providing ADV criteria for ETP Holders and Market Makers to qualify for the Step Up Tier credits. For the billing month of September 2016 only, the Step Up Tier credit applied to ETP Holders and Market Makers that, on a daily basis, measured monthly,

(i) directly executed providing ADV on NYSE Arca in an amount that was an increase of no less than 0.045% of US CADV in Tape A, Tape B and Tape C Securities for that month over the ETP Holder's or Market Maker's providing ADV in the Baseline Month, and

(ii) set a new BBO on the Exchange with at least 40% of the ETP Holder's or Market Maker's providing ADV.[5]

As proposed in the Step Up Tier Filing, for the billing month of October 2016 only, the Step Up credit would be applicable to ETP Holders and Market Makers that, on a daily basis, measured monthly,

(i) directly execute providing ADV on NYSE Arca in an amount that is an increase of no less than 0.09% of US CADV in Tape A, Tape B and Tape C Securities for that month over the ETP Holder's or Market Maker's providing ADV in the Baseline Month, and

(ii) set a new BBO on the Exchange with at least 40% of the ETP Holder's and Market Maker's providing ADV.

The Exchange proposes to revise the requirement for the Step Up Tier that would be applicable to ETP Holders and Market Makers, with a lower requirement for October 2016, to provide market participants with an incentive to direct their orders to the Exchange.

The Exchange is proposing a change to the second part of the current Step Up Tier by requiring ETP Holders and Market Makers to set a new BBO on the Exchange with at least 25% in each of the ETP Holder's or Market Maker's Tape A, Tape B and Tape C providing ADV. Specifically, as proposed, the Step Up Credit would be applicable to ETP Holders and Market Makers that, on a daily basis, measured monthly,

(i) directly execute providing ADV on NYSE Arca in an amount that is an increase of no less than 0.15% of US CADV in Tape A, Tape B and Tape C Securities for that month over the ETP Holder's or Market Maker's providing ADV in the Baseline Month, and

(ii) set a new BBO on the Exchange with at least 25% in each of the ETP Holder's or Market Maker's Tape A, Tape B and Tape C providing ADV.

The Exchange is not proposing any change to the first part of the Step Up Tier or to the level of credits payable under the Step Up Tier.

To illustrate, an ETP Holder who has a providing ADV of 15 million shares in the Baseline Month would be required to execute, at a minimum, an additional 9.75 million shares of providing ADV if CADV is 6.5 billion shares in the billing month, or 0.15% over the Baseline Month, for a total providing ADV of 24.75 million shares for the billing month. Further, of the 24.75 million shares, assume 10.75 million shares are in Tape A Securities, and 7 million shares are each in Tape B and Tape C Securities. The ETP Holder would be

[4] *See* Securities Exchange Act Release No. 78892 (September 21, 2016), 81 FR 66315 (September 27, 2016) (SR–NYSEArca–2016–128) (the ''Step Up Tier Filing'').

[5] The Step Up Tier Filing adopted lower requirements for ETP Holders and Market Makers to qualify for the Step Up Tier credits for the months of September 2016 and October 2016. Given this proposed rule change would become effective October 3, 2016 and would no longer be applicable for September 2016, the Exchange proposes to delete from the Fee Schedule reference to the Step Up Tier credits applicable to ETP Holders and Market Makers for the month of September 2016.

required to have a providing ADV that sets a new BBO on the Exchange of at least 2.6875 million shares in Tape A Securities, and 1.750 million shares each in Tape B and Tape C Securities.

For the billing month of October 2016 only, the Step Up credit would be applicable to ETP Holders and Market Makers that, on a daily basis, measured monthly,

(i) directly execute providing ADV on NYSE Arca in an amount that is an increase of no less than 0.09% of US CADV in Tape A, Tape B and Tape C Securities for that month over the ETP Holder's or Market Maker's providing ADV in the Baseline Month, and

(ii) set a new BBO on the Exchange with at least 25% in each of the ETP Holder's or Market Maker's Tape A, Tape B and Tape C providing ADV.

The Exchange believes revising the requirement for ETP Holders and Market Makers to set a new BBO on the Exchange with at least 25% in each of the ETP Holder's or Market Maker's Tape A, Tape B and Tape C providing ADV should allow a greater number of participants to qualify for the credit and will also encourage ETP Holders and Market Makers to provide liquidity across more symbols traded on the Exchange to the benefit of all market participants who trade on the Exchange.

The Exchange notes that if an ETP Holder or Market Maker qualifies for more than one tier in the Fee Schedule, the Exchange would apply the most favorable rate available under such tiers.

The goal of the Step-Up Tier when adopted by the Exchange in September 2016 was to incentivize ETP Holders and Market Makers to increase the orders sent directly to NYSE Arca and therefore provide liquidity that supports the quality of price discovery and promotes market transparency. The Exchange believes the proposed change to the Step Up Tier furthers that goal by encouraging ETP Holders and Market Makers to direct their order flow in more securities traded on the Exchange rather than just a subset of securities.

The proposed changes are not otherwise intended to address any other problem, and the Exchange is not aware of any significant problem that the affected market participants would have in complying with the proposed changes.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[6] in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,[7] in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers. The Exchange believes that the proposal does not constitute an inequitable allocation of fees, as all similarly situated market participants will be subject to the same fees and credits and access to the Exchange's market is offered on fair and non-discriminatory terms.

The Exchange believes that amendments [sic] to the Step Up Tier is reasonable, equitable and not unfairly discriminatory because the proposed amendment would continue to directly relate to the activity of ETP Holders and Market Makers and would apply uniformly to all similarly situated ETP Holders and Market Makers that send orders to the Exchange. The Exchange further believes that lowering the level for setting a new BBO on the Exchange from 40% to 25% of adding ADV is reasonable because it may allow a greater number of ETP Holders and Market Makers to qualify for the Step up Tier credits. The Exchange believes adopting separate BBO requirements for each of Tape A, Tape B and Tape C securities is reasonable because it would create an incentive for ETP Holders and Market Makers to improve displayed quotes on the Exchange for securities in each Tape, which would benefit all market participants in securities of each tape.

As the Exchange noted in the Step Up Tier Filing, the Exchange believes that the Step-Up Tier is intended to provide market participants with an incentive to increase the orders sent directly to NYSE Arca and thereby provide liquidity that supports the quality of price discovery and promotes market transparency. The Exchange believes the proposed amendment to the Step Up Tier will continue to provide market participants with the incentive to direct their order flow to the Exchange. Moreover, the amendment to the Step Up Tier would benefit market participants whose targeted order flow would provide meaningful added levels of liquidity thereby contributing to the depth and market quality on the Exchange. In addition, the Exchange believes the proposed amendment to the Step Up Tier should result in more market participants providing order flow and therefore more market participants would be eligible to receive the credits for their orders.

The Exchange believes that adopting lower providing ADV criteria for October 2016 is reasonable because it may allow a greater number of ETP Holders and Market Makers to qualify for the proposed credits while also providing ETP Holders and Market Makers the opportunity to gradually increase their activity in order to qualify for the credits. The Exchange believes that adopting lower providing ADV criteria for October 2016 is also equitable and not unfairly discriminatory because the lower criteria would apply uniformly to all ETP Holders and Market Makers during October 2016.

Volume-based rebates such as the ones currently in place on the Exchange have been widely adopted in the cash equities markets and are equitable because they are open to all ETP Holders and Market Makers on an equal basis and provide additional benefits or discounts that are reasonably related to the value to an exchange's market quality associated with higher levels of market activity, such as higher levels of liquidity provision and/or growth patterns, and introduction of higher volumes of orders into the price and volume discovery processes.

The Exchange believes that it is subject to significant competitive forces, as described below in the Exchange's statement regarding the burden on competition.

For the foregoing reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[8] the Exchange believes that the proposed rule change would not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Instead, the Exchange believes that the proposal to amend the Step Up Tier would continue to encourage the submission of additional liquidity to a public exchange, thereby promoting price discovery and transparency and enhancing order execution opportunities for ETP Holders and Market Makers. The Exchange believes that this could promote competition between the Exchange and other execution venues, including those that currently offer similar order types and comparable transaction pricing, by

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(4) and (5).

[8] 15 U.S.C. 78f(b)(8).

encouraging additional orders to be sent to the Exchange for execution.

Finally, the Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive or rebate opportunities available at other venues to be more favorable. In such an environment, the Exchange must continually adjust its fees and rebates to remain competitive with other exchanges and with alternative trading systems that have been exempted from compliance with the statutory standards applicable to exchanges. Because competitors are free to modify their own fees and credits in response, and because market participants may readily adjust their order routing practices, the Exchange believes that the degree to which fee changes in this market may impose any burden on competition is extremely limited. As a result of all of these considerations, the Exchange does not believe that the proposed changes will impair the ability of ETP Holders or competing order execution venues to maintain their competitive standing in the financial markets.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)[9] of the Act and subparagraph (f)(2) of Rule 19b–4[10] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)[11] of the Act to determine whether the proposed rule change 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 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–NYSEArca–2016–137 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEArca-2016–137. 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–NYSEArca–2016–137 and should be submitted on or before November 2, 2016.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Dated: October 5, 2016.

Brent J. Fields,

Secretary.

[FR Doc. 2016–24579 Filed 10–11–16; 8:45 am]

BILLING CODE 8011–01–P

[9] 15 U.S.C. 78s(b)(3)(A).

[10] 17 CFR 240.19b–4(f)(2).

[11] 15 U.S.C. 78s(b)(2)(B).

[12] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

Committee Member Nominations Sought Notice; Interagency Task Force on Veterans Business Development

AGENCY: U.S. Small Business Administration.

ACTION: Notice of open nominations for veteran service organizations, military service organizations, or association representatives for the Interagency Task Force on Veterans Small Business Development.

SUMMARY: The U.S. Small Business Administration seeks member nominations from veteran service organizations, military service organizations, or associations to serve on the Interagency Task Force on Veterans Business Development.

DATES: Nomination applications due by 11:59 p.m. (EST), 14 October 2016.

ADDRESSES: Send nominations to *veteransbusiness@sba.gov.*

SUPPLEMENTARY INFORMATION: The U.S. Small Business Administration (SBA) seeks member nominations from veteran service organizations (VSO), military service organizations (MSO), or associations to serve on the Interagency Task Force on Veterans Small Business Development (IATF). Nominations of eligible representatives must be sent via email to *veteransbusiness@sba.gov.* The submission deadline for nominations is Oct. 14, 2016.

Additional Information: Applicants should include the following information:

- Name and contact information of the individual
- Name and contact information of represented organization
- Description of how the organization supports veteran and service-disabled owned small business issues
- If nominee is a member of a local chapter of a national VSO, a national-level VSO endorsement letter is required.

The SBA Administrator will appoint individuals who will serve on the IATF for a period of three years.

The IATF was established February 14, 2008 by Public Law 110–186 and

executed by Executive Order. The Task Force is chaired by the U.S. Small Business Administration and is comprised of representatives from the Department of Defense, the Department of Labor, the Department of Treasury, the Department of Veterans Affairs, the General Services Administration, the Office of Management and Budget (OMB), and four representatives from veterans service organizations, military service organizations, or associations.

On Aug. 13, 2014, OMB published in the **Federal Register** revised guidance on individuals who are not eligible to serve on federal advisory committees. In accordance with OMB guidance, the President directed agencies and departments in the Executive Branch not to appoint or re-appoint federally registered lobbyists to advisory committees and other boards and commissions.

Dated: October 3, 2016.

Miguel J. L'Heureux,

SBA Committee Management Officer.

[FR Doc. 2016–24533 Filed 10–11–16; 8:45 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION

Advisory Committee on Veterans Business Affairs; Notice of Open Nominations

AGENCY: U.S. Small Business Administration.

ACTION: Notice of open nominations for veteran small business owners and veteran service organization representatives for the Advisory Committee on Veterans Business Affairs.

SUMMARY: The U.S. Small Business Administration seeks member nominations from veteran owned small businesses and veteran service organizations to serve on the Advisory Committee on Veterans Business Affairs.

DATES: Nomination applications due by 11:59 p.m. (EST), October 14, 2016.

ADDRESSES: Send nominations to *veteransbusiness@sba.gov.*

SUPPLEMENTARY INFORMATION: The U.S. Small Business Administration (SBA) seeks member nominations from veteran owned small businesses and veteran service organizations (VSO) to serve on the Advisory Committee on Veterans Business Affairs (ACVBA).

Additional Information: Nominations of eligible representatives must be sent via email to *veteransbusiness@sba.gov.* The submission deadline for nominations is October 14, 2016. Submissions should include the following information:

- Name and contact information of the individual
- Name and contact information of represented organization
- If VSO nomination, include a description of how the organization supports veteran and service-disabled owned small business issues
- If nominee is a member of a local chapter of VSO, a national-level endorsement letter from the VSO is required

The SBA Administrator will appoint individuals who will serve on the ACVBA for a period of three years.

The Veterans Entrepreneurship and Small Business Development Act of 1999—Public Law 106–50—established the ACVBA to serve as an independent source of advice and policy recommendations on veteran owned small business opportunities. Through an annual report, the ACVBA reports to the SBA Administrator, SBA's Associate Administrator for Veterans Business Development, the Congress, the President, and other U.S. policy makers. The ACVBA is comprised of 15 members—eight members represent veteran owned small business and seven members represent veteran service or military organizations.

On Aug. 13, 2014, the Office of Management and Budget (OMB) published in the **Federal Register** revised guidance on individuals who are not eligible to serve on federal advisory committees. In accordance with OMB guidance, the President directed agencies and departments in the Executive Branch not to appoint or re-appoint federally registered lobbyists to advisory committees and other boards and commissions.

Dated: October 3, 2016.

Miguel J. L'Heureux,

SBA Committee Management Officer.

[FR Doc. 2016–24534 Filed 10–11–16; 8:45 am]

BILLING CODE P

DEPARTMENT OF STATE

[Public Notice: 9754]

Notice of Intent To Prepare an Environmental Assessment for the Proposed Borrego Pipeline in Webb County, Texas

AGENCY: Department of State.

ACTION: Notice of intent.

SUMMARY: Borrego Crossing Pipeline, LLC (Borrego) has applied to the U.S. Department of State (Department) for a Presidential Permit authorizing the construction, connection, operation, and maintenance of facilities at the border of the United States for the export of refined petroleum products from the United States to markets in northern Mexico (Borrego Pipeline). The Department receives and considers applications for Presidential Permits for such energy-related pipelines pursuant to authority delegated to it by the President under E.O. 13337 of April 30, 2004 (69 FR 25299), as amended. To issue a Permit, the Department must find that issuance would serve the national interest.

With respect to the application submitted by Borrego, the Department is issuing this Notice of Intent (NOI) to inform the public that it will prepare an Environmental Assessment (EA) consistent with the National Environmental Policy Act of 1969 (NEPA) (as implemented by the Council on Environmental Quality Regulations found at 40 CFR parts 1500–1508) to evaluate the potential impacts of the Borrego Pipeline to inform the national interest determination. This NOI informs the public about the proposed project and solicits participation and comments from interested federal, tribal, state, and local government entities as well as the public to help inform the scope and content of the EA.

DATES: The Department invites the public, governmental agencies, tribal governments, and all other interested parties to comment on the scope of the EA. All such comments should be provided within the 30-day public scoping period, which starts with the publication of this Notice in the **Federal Register** and will continue until November 14, 2016. The Department will give equal weight to written, electronic, and oral comments, and the Department will consider all comments received or postmarked by the closing date. The Department will consider comments received or postmarked after that date to the extent practicable.

All comments received during the scoping period may be made public, no matter how initially submitted. Comments are not private and will not be edited to remove identifying or contact information. Commenters are cautioned against including any information that they would not want publicly disclosed. Any party soliciting or aggregating comments from other persons is further requested to direct those persons not to include any identifying or contact information, or information they would not want publicly disclosed, in their comments.

ADDRESSES: Commenters can submit remarks electronically at *www.regulations.gov* by entering the title of this Notice into the search field and following the prompts. The Department will accept comments by mail at the following address: Borrego Project Manager, Office of Environmental Quality and Transboundary Issues (OES/EQT), Room 2726, U.S. Department of State, 2201 C Street NW., Washington, DC 20520. All comments from agencies or organizations should indicate a contact person for the agency or organization.

SUPPLEMENTARY INFORMATION:

Project Description

Borrego submitted an application on August 12, 2016 for a new Presidential Permit under E.O. 13337 to authorize the construction, connection, operation, and maintenance of pipeline facilities at the United States-Mexico border for the export of refined petroleum products, including but not limited to gasoline, ultra-low sulfur diesel (ULSD), and jet fuel. The requested Presidential Permit, if issued, would authorize an approximately 0.25-mile segment of 20-inch pipeline from the first check meter station near 27°38′42.28″ N., 99°36′13.62″ W. to the United States-Mexico border at a location approximately 9.2 miles northwest of Laredo, Texas. However, consistent with NEPA, the Department's EA will analyze environmental effects associated with the entire U.S. portion of the proposed pipeline. In the United States, the Borrego Pipeline would consist of approximately 13 miles of new pipeline (0.25 miles of 20-inch pipeline at the border segment and 12.9 miles of 16-inch pipeline from a terminal in Laredo, Texas to the border segment). The Borrego Pipeline would have the design capacity to transport approximately 150,000 barrels per day (bpd) of refined petroleum products.

Environmental Effects

The environmental review will describe the potential environmental impacts of the proposed action; any adverse environmental impacts that cannot be avoided should the proposal be implemented; the reasonable alternatives to the proposed action and a no action alternative; comparison between short-term and long-term impacts on the environment; any irreversible and irretrievable commitments of natural, physical or other resources that would occur if the proposed action is implemented; and any proposed mitigation measures if needed. The analysis will focus on air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, potential accidents and spills, hydrology and water quality, noise, socioeconomics, environmental justice, transportation, and any other relevant topics that arise during scoping.

Scoping Period

The Department invites the public, governmental agencies, tribal governments and all other interested parties to comment on the scope of the EA. All such comments should be provided in writing, within thirty (30) days of the publication of this notice, at the **ADDRESSES** listed above.

FOR FURTHER INFORMATION CONTACT: For information contact the Borrego Project Manager at the address listed in **ADDRESSES**, by email at *BorregoReview@state.gov* or by fax at (202) 647–5947. Information on the proposed project details, Presidential Permit application, status of the environmental review, etc. may be found at: *http://www.state.gov/e/enr/applicant/applicants/borregopipeline/index.htm.*

Dated: October 3, 2016.

Barton Putney,

Director, Office of Environmental Quality and Transboundary Issues, Department of State.

[FR Doc. 2016–24630 Filed 10–11–16; 8:45 am]

BILLING CODE 4710–09–P

SURFACE TRANSPORTATION BOARD

30-Day Notice of Intent To Seek Extension of Approval: System Diagram Maps

ACTION: Notice and request for comments.

AGENCY: Surface Transportation Board.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3521 (PRA), the Surface Transportation Board (STB or Board) gives notice that it is requesting from the Office of Management and Budget (OMB) approval of an extension for the collection of system diagram maps, which is further described below. The Board previously published a notice about this collection in the **Federal Register**. 81 FR 26,304 (May 2, 2016). That notice allowed for a 60-day public review and comment period. No comments were received.

DATES: Comments on this information collection should be submitted by November 14, 2016.

ADDRESSES: Written comments should be identified as ''Paperwork Reduction Act Comments, Surface Transportation Board: System Diagram Maps.'' These comments should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Chandana L. Achanta, Surface Transportation Board Desk Officer, by email at *OIRA_SUBMISSION@OMB.EOP.GOV;* by fax at (202) 395–6974; or by mail to Room 10235, 725 17th Street NW., Washington, DC 20503. Please also direct comments to Chris Oehrle, Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001, or to *PRA@stb.gov.*

FOR FURTHER INFORMATION CONTACT: For further information regarding this collection, contact Pedro Ramirez at (202) 245–0333 or at *pedro.ramirez@stb.gov.* [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.]

SUPPLEMENTARY INFORMATION: Comments are requested concerning: (1) The accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) 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, when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

Description of Collection

Title: System Diagram Maps (or, in the case of Class III carriers, an alternative narrative description of their rail systems).

OMB Control Number: 2140–0003.

Form Number: None.

Type of Review: Extension without change.

Respondents: Common carrier freight railroads that are either new or reporting changes in the status of one or more of their rail lines.

Number of Respondents: One.

Estimated Time per Response: 7.1 hours, based on average time reported in informal survey of respondents (less than 10).

Frequency of Response: On occasion.

Total Annual Burden Hours: 7.1 hours.

Total ''Non-hour Burden'' Cost: None identified. Filings are submitted electronically to the Board.

Needs and Uses: Under 49 CFR 1152.10–1152.13, all railroads subject to the Board's jurisdiction are required to keep current system diagram maps on file, or alternatively, in the case of a Class III carrier (a carrier with assets of not more than $38,060,384 in 2014 dollars), to submit the same information in narrative form. The information sought in this collection identifies lines in a particular railroad's system, categorized to indicate the likelihood that service on a particular line will be abandoned and/or whether service on a line is currently provided under the financial assistance provisions of 49 U.S.C. 10904. Carriers are obligated to amend these maps as the need to change the category of any particular line arises.

Under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Under section 3507(b) of the PRA, federal agencies are required to provide, prior to an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: October 6, 2016.

Brendetta S. Jones,

Clearance Clerk.

[FR Doc. 2016–24617 Filed 10–11–16; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

30-Day Notice of Intent To Seek Extension of Approval: Rail Depreciation Studies

ACTION: Notice and request for comments.

AGENCY: Surface Transportation Board.

SUMMARY: As required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3521 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek approval from the Office of Management and Budget (OMB) for an extension of the collection of Rail Depreciation Studies. This information collection is described in detail below. The Board previously published a notice about this collection in the **Federal Register**. 81 FR 26,304 (May 2, 2016). That notice allowed for a 60-day public review and comment period. No comments were received.

DATES: Comments on this information collection should be submitted by November 14, 2016.

ADDRESSES: Written comments should be identified as ''Paperwork Reduction Act Comments, Surface Transportation Board: Rail Depreciation Studies.'' These comments should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Chandana L. Achanta, Surface Transportation Board Desk Officer, by email at *OIRA_SUBMISSION@OMB.EOP.GOV;* by fax at (202) 395–6974; or by mail to Room 10235, 725 17th Street NW., Washington, DC 20503. Please also direct comments to Chris Oehrle, Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001, or to *PRA@stb.gov.*

FOR FURTHER INFORMATION CONTACT: For further information regarding this collection, contact Michael Higgins, Deputy Director, Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245–0284 or at *higginsm@stb.gov.* [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.]

SUPPLEMENTARY INFORMATION: Comments are requested concerning: (1) The accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) 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 when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

Description of Collection

Title: Rail Depreciation Studies.
OMB Control Number: 2140–0028.
STB Form Number: None.
Type of Review: Extension with change.
Respondents: Class 1 railroads.
Number of Respondents: Seven.
Frequency: On occasion. (Under 49 CFR part 1201, 4–1 to 4–4, the Board requires all Class 1 (large) carriers to submit rail depreciation studies no less than every three years for equipment property and every six years for road and track property. That means that for any given six-year period the Class 1 railroads have to submit no less than three depreciation reports or the equivalent of 0.5 depreciation reports per year.)

Total Burden Hours: 3,500 hours (500 hours × 7 Class 1 railroads).

Total Annual ''Non-hour Burden'' Cost: Approximately $262,500 per year. Board staff estimates that each study will cost between $50,000 and $100,000, which equals a cost of approximately $25,000–$50,000 per year. Using an average cost ($37,500 per year × 7 Class 1 railroads), the non-hour burden cost is estimated to be approximately $262,500 per year.

Needs and Uses: Under 49 CFR part 1201, 4–1 to 4–4, the Board is required to identify those classes of property for which rail carriers may include depreciation charges under operating expenses, and the Board must also prescribe a rate of depreciation that may be charged to those classes of property. Pursuant to the Board's authority under 49 U.S.C. 11145, Class 1 rail carriers are required to submit Rail Depreciation Studies to the Board. Information in these studies is not available from any other source. The Board uses the information in these studies to prescribe depreciation rates. These depreciation rate prescriptions state the period for which the depreciation rates therein are applicable. Class 1 railroads apply the prescribed depreciation rates to their investment base to determine monthly and annual depreciation expense. This expense is included in the railroads' operating expenses, which are reported in their R–1 reports (OMB Control Number 2140–0009). Operating expenses are used to develop operating costs for application in various proceedings before the Board, such as in rate reasonableness cases and in the determination of railroad revenue adequacy.

Under the PRA, a Federal agency conducting or sponsoring a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: October 6, 2016.

Brendetta S. Jones,

Clearance Clerk.

[FR Doc. 2016–24616 Filed 10–11–16; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

30-Day Notice of Intent To Seek Extension of Approval: Arbitration Option Notices

ACTION: Notice and request for comments.

AGENCY: Surface Transportation Board.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3521 (PRA), the Surface Transportation Board (STB or Board) gives notice that it is requesting from the Office of Management and Budget (OMB) approval of an extension for the collection of Arbitration Option Notices, which is further described below. The Board previously published a notice about this collection in the **Federal Register**. 81 FR 26,303 (May 2, 2016). That notice allowed for a 60-day public review and comment period. No comments were received.

DATES: Comments on this information collection should be submitted by November 14, 2016.

ADDRESSES: Written comments should be identified as ''Paperwork Reduction Act Comments, Surface Transportation Board: Arbitration Option Notice.'' These comments should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Chandana L. Achanta, Surface Transportation Board Desk Officer, by email at *OIRA_SUBMISSION@OMB.EOP.GOV;* by fax at (202) 395–6974; or by mail to Room 10235, 725 17th Street NW., Washington, DC 20503. Please also direct comments to Chris Oehrle, Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001, or to *PRA@stb.gov.*

FOR FURTHER INFORMATION CONTACT: For further information regarding this collection, contact Michael Higgins, Deputy Director, Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245–0284 or at *michael.higgins@stb.gov.* [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.]

SUPPLEMENTARY INFORMATION: Comments are requested concerning: (1) The accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) 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, when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

Description of Collection

Title: Arbitration Option Notices.

OMB Control Number: 2140–0020.

STB Form Number: None.

Type of Review: Extension with change.

Respondents: All regulated rail carriers.

Number of Respondents: 1.

Estimated Time per Response: .5 hours.

Frequency: Annually.

Total Burden Hours (annually including all respondents): .5 hours.

Total ''Non-hour Burden'' Cost: None identified. Filings are submitted electronically to the Board.

Needs and Uses: Under 49 CFR 1108.3, rail carriers may agree to participate in the Board's arbitration program by filing a notice with the Board to ''opt in.'' Once a rail carrier is participating in the Board's arbitration program, it may discontinue its participation only by filing a notice to ''opt out'' with the Board, which would become effective 90 days after its filing.

Under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: October 6, 2016.

Brendetta S. Jones,

Clearance Clerk.

[FR Doc. 2016–24609 Filed 10–11–16; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

30-Day Notice of Intent To Seek Extension of Approval: Household Goods Movers' Disclosure Requirements

AGENCY: Surface Transportation Board.

ACTION: Notice and request for comments.

SUMMARY: As required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3521 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek approval from the Office of Management and Budget (OMB) for an extension of the information collections (here, third-party disclosures) required by the Board's decisions in *Released Rates of Motor Common Carriers of Household Goods,* RR 999 (Amendment No. 5) (STB served Jan. 21, 2011); *Released Rates of Motor Common Carriers of Household Goods,* RR 999 (Amendment No. 5) (STB served Jan. 10, 2012). The information collection is described in more detail below. The Board previously published a notice about this collection in the **Federal Register**. 81 FR 35,810 (June 3, 2016). That notice allowed for a 60-day public review and comment period. No comments were received.

DATES: Comments on this information collection should be submitted by November 14, 2016.

ADDRESSES: Written comments should be identified as ''Paperwork Reduction Act Comments, Surface Transportation Board: Household Goods Movers' Disclosure Requirements.'' These comments should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Chandana L. Achanta, Surface Transportation Board Desk Officer, by email at *OIRA_SUBMISSION@OMB.EOP.GOV;* by fax at (202) 395–6974; or by mail to Room 10235, 725 17th Street NW., Washington, DC 20503. Please also direct comments to Chris Oehrle, Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001, or to *PRA@stb.gov.*

FOR FURTHER INFORMATION CONTACT: For further information regarding this collection, contact Michael Higgins, Deputy Director, Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245–0284 or at *michael.higgins@stb.gov.* [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.]

SUPPLEMENTARY INFORMATION: Comments are requested concerning: (1) The

accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) 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 when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

Description of Collection

Title: Household Goods Movers' Disclosure Requirements.

OMB Control Number: 2140–0027.

STB Form Number: None.

Type of Review: Extension with change.

Respondents: Movers that desire to offer a rate limiting their liability on interstate moves to anything less than replacement value of the goods.

Number of Respondents: 7,000 (approximate number of Movers involved in authorized for-hire household goods carriage in the United States according to American Moving and Storage Association).

Frequency: On occasion.

Total Burden Hours: None. The change to the estimate form is a one-time, start-up cost, which was considered in the cost analysis of the Board's previous approval for this collection. In our initial request for approval, we estimated that 15 of the approximately 4,500 household goods movers were large firms that print their own forms and would have to produce modified forms to meet the new requirement. Further, any new large mover entrants would have to create forms based on other agency regulations—with or without the released rate disclosure—and, therefore, there is no longer an hourly burden for this collection.

Total ''Non-hour Burden'' Cost: Movers may provide these forms to shippers electronically. Further, as with the burden hours above, the one-time, start-up costs that were previously considered will no longer apply to existing movers and new entrants will not have any additional cost to add released rates to the forms required under other agency regulations. Therefore, there is no longer a non-hourly cost burden for this collection.

Needs and Uses: Congress, in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, § 4215, Public Law 109–59, 119 Stat. 1144, 1760 (2005), directed the Board to review consumer protection regulations concerning the loss or damage that occurs during interstate household goods moves. In Docket No. RR 999, the Board required household goods motor carriers and freight forwarders (together, Movers) to provide their customers with clear written information concerning the two available cargo-liability options, if they desired to offer a rate limiting their liability on interstate moves to anything less than replacement value of the goods. Movers were required to provide this information on the standard written estimate form, which the Federal Motor Carrier Safety Administration (FMCSA) already required Movers to provide to their household goods moving customers. *See* 49 CFR 375.213. Thus, Movers must inform consumers of their rights and obtain a signed waiver if the consumer elects anything other than full-value protection. Previously, consumers were sometimes confused and did not realize that they had waived full-value protection until after they had experienced damage to or loss of their goods. The information collection that is the subject of this notice is intended to correct this problem by providing early notice regarding the two liability options (full-value protection and the lower released-rate protection), as well as adequate time and information to help consumers decide which option to choose.

Under the PRA, a Federal agency conducting or sponsoring a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: October 6, 2016.

Brendetta S. Jones,

Clearance Clerk.

[FR Doc. 2016–24615 Filed 10–11–16; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Request To Release Airport Property

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Intent to Rule on Request to Release Airport Property at The Des Moines International Airport, Des Moines, Iowa.

SUMMARY: The FAA proposes to rule and invites public comment on the release of land at The Des Moines International Airport, Des Moines, Iowa, under the provisions of 49 U.S.C. 47107(h)(2).

DATES: Comments must be received on or before November 14, 2016.

ADDRESSES: Comments on this application may be mailed or delivered to the FAA at the following address: Lynn D. Martin, Airports Compliance Specialist, Federal Aviation Administration, Airports Division, ACE–610C, 901 Locust Room 364, Kansas City, MO 64106.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to: Kevin Foley, Airport Executive Director, 5800 Fleur Dr. Suite 207, Des Moines, IA 50321, (515) 256–5100

FOR FURTHER INFORMATION CONTACT: Lynn D. Martin, Airports Compliance Specialist, Federal Aviation Administration, Airports Division, ACE–610C, 901 Locust Room 364, Kansas City, MO 64106, (816) 329–2644, *lynn.martin@faa.gov.*

The request to release property may be reviewed, by appointment, in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA invites public comment on the request to release approximately 2.31 ± acres of airport property at The Des Moines International Airport (DSM) under the provisions of 49 U.S.C. 47107(h)(2). On September 7, 2016, the Director of Engineering & Planning at The Des Moines International Airport requested from the FAA that approximately 2.31 ± acres of property be released for sale to Glenn and April Brown for use as single family residence, consistent with the zoning ordinances of the City. On October 3, 2016, the FAA determined that the request to release property at The Des Moines International Airport (DSM) submitted by the Sponsor meets the procedural requirements of the Federal Aviation Administration and the release of the property does not and will not impact future aviation needs at the airport. The FAA may approve the request, in whole or in part, no sooner

than thirty days after the publication of this notice.

The following is a brief overview of the request:

The Des Moines International Airport (DSM) is proposing the release of airport property totaling 2.31 acres, more or less. This land is to be used for single family residence for Glenn and April Brown. The release of land is necessary to comply with Federal Aviation Administration Grant Assurances that do not allow federally acquired airport property to be used for non-aviation purposes. The sale of the subject property will result in the land at The Des Moines International Airport (DSM) being changed from aeronautical to non-aeronautical use and release the lands from the conditions of the Airport Improvement Program Grant Agreement Grant Assurances. In accordance with 49 U.S.C. 47107(c)(2)(B)(i) and (iii), the airport will receive fair market value for the property, which will be subsequently reinvested in another eligible airport improvement project for general aviation facilities at The Des Moines International Airport.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon appointment and request, inspect the application, notice and other documents determined by the FAA to be related to the application in person at The Des Moines International Airport.

Issued in Kansas City, MO, on October 5, 2016.

Jim A. Johnson,

Manager, Airports Division.

[FR Doc. 2016–24644 Filed 10–11–16; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Twelfth RTCA SC–231 TAWS Plenary

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

ACTION: Twelfth RTCA SC–231 TAWS Plenary.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of Twelfth RTCA SC–231 TAWS Plenary.

DATES: The meeting will be held November 07–09, 2016, 09:00 a.m.–05:00 p.m. and November 10, 09:00 a.m.–01:00 p.m.

ADDRESSES: The meeting will be held at: RTCA Headquarters, 1150 18th Street NW., Suite 910, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Rebecca Morrison at *rmorrison@rtca.org* or 202–330–0654, or The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC 20036, or by telephone at (202) 833–9339, 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 Twelfth RTCA SC–231 TAWS Plenary. The agenda will include the following:

Monday, November 7th—9:00 a.m.–5:00 p.m.

(1) Welcome/Introduction
(2) Administrative Remarks
(3) Agenda Review
(4) Summary of Working Group activities
(5) Disposition of Final Review and Comment (FRAC) Comments
(6) Other Business
(7) Date and Place of Next Meeting

Tuesday, November 8th—9:00 a.m.–5:00 p.m.

Continuation of Plenary

Wednesday, November 9th—9:00 a.m.–5:00 p.m.

Continuation of Plenary

Thursday, November 10th—9:00 a.m.–1:00 p.m.

Continuation of Plenary

Attendance is open to the interested public but limited to space availability. 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 October 6, 2016.

Mohannad Dawoud,

Management & Program Analyst, Partnership Contracts Branch, ANG–A17 NextGen, Procurement Services Division, Federal Aviation Administration.

[FR Doc. 2016–24590 Filed 10–11–16; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Request To Release Airport Property

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on request to release airport property at The Des Moines International Airport, Des Moines, Iowa.

SUMMARY: The FAA proposes to rule and invites public comment on the release of land at The Des Moines International Airport, Des Moines, Iowa, under the provisions of 49 U.S.C. 47107(h)(2).

DATES: Comments must be received on or before November 14, 2016.

ADDRESSES: Comments on this application may be mailed or delivered to the FAA at the following address: Lynn D. Martin, Airports Compliance Specialist, Federal Aviation Administration, Airports Division, ACE–610C, 901 Locust Room 364, Kansas City, MO 64106.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to: Kevin Foley, Airport Executive Director, 5800 Fleur Dr. Suite 207, Des Moines, IA 50321, (515) 256–5100

FOR FURTHER INFORMATION CONTACT: Lynn D. Martin, Airports Compliance Specialist, Federal Aviation Administration, Airports Division, ACE–610C, 901 Locust Room 364, Kansas City, MO 64106, (816) 329–2644, *lynn.martin@faa.gov.* The request to release property may be reviewed, by appointment, in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA invites public comment on the request to release approximately 14.14± acres of airport property at The Des Moines International Airport (DSM) under the provisions of 49 U.S.C. 47107(h)(2). On September 7, 2016, the Director of Engineering & Planning at The Des Moines International Airport requested from the FAA that approximately 14.14± acres of property be released for sale to Next Phase Development for use as single family residences, consistent with the zoning ordinances of the City. On October 3, 2016, the FAA determined that the request to release property at The Des Moines International Airport (DSM) submitted by the Sponsor meets the procedural requirements of the Federal Aviation Administration and the release of the property does not and will not impact future aviation needs at the airport. The FAA may approve the request, in whole or in part, no sooner than thirty days after the publication of this notice.

The following is a brief overview of the request:

The Des Moines International Airport (DSM) is proposing the release of airport property totaling 14.14 acres, more or less. This land is to be used for single

family residences for Next Phase Development. The release of land is necessary to comply with Federal Aviation Administration Grant Assurances that do not allow federally acquired airport property to be used for non-aviation purposes. The sale of the subject property will result in the land at The Des Moines International Airport (DSM) being changed from aeronautical to non-aeronautical use and release the lands from the conditions of the Airport Improvement Program Grant Agreement Grant Assurances. In accordance with 49 U.S.C. 47107(c)(2)(B)(i) and (iii), the airport will receive fair market value for the property, which will be subsequently reinvested in another eligible airport improvement project for general aviation facilities at The Des Moines International Airport.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon appointment and request, inspect the application, notice and other documents determined by the FAA to be related to the application in person at The Des Moines International Airport.

Issued in Kansas City, MO on October 4, 2016.

Jim A. Johnson,

Manager, Airports Division.

[FR Doc. 2016–24647 Filed 10–11–16; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Sixty Sixth RTCA SC–186 Automatic Dependent Surveillance—Broadcast Working Group 4 and Plenary Session

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

ACTION: Sixty Sixth RTCA SC–186 Automatic Dependent Surveillance—Broadcast Working Group 4 and Plenary Session.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of Sixty Sixth RTCA SC–186 Automatic Dependent Surveillance—Broadcast Working Group 4 and Plenary Session.

DATES: The meeting will be held November 01–04, 2016, 09:00 a.m.–04:30 p.m.

ADDRESSES: The meeting will be held at: RTCA Headquarters, 1150 18th Street NW., Suite 910, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Al Secen at *asecen@rtca.org* or 202–330–0647, or The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC 20036, or by telephone at (202) 833–9339, 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 Sixty Sixth RTCA SC–186 Automatic Dependent Surveillance—Broadcast Working Group 4 and Plenary Session. The agenda will include the following:

Tuesday, November 1st, 9:00 a.m. to 4:30 p.m.

Specific Working Group Sessions

All Day, WG–4—Application Technical, 4th Floor Large & Small Conf. Rooms Requirements, Advanced Interval Management MOPS development

Wednesday, November 2nd, 9:00 a.m. to 4:30 p.m.

Specific Working Group Sessions

All Day, WG–4—Application Technical, 4th Floor Large & Small Conf. Rooms Requirements, Advanced Interval Management MOPS development

Thursday, November 3rd, 9:00 a.m. to 4:30 p.m.

Specific Working Group Sessions

All Day, WG–4—Application Technical, 4th Floor Large & Small Conf. Rooms Requirements, Advanced Interval Management MOPS development

Friday, November 4th, 9:00 a.m. to 4:30 p.m.

Plenary Session Agenda

1. Chairman's Introductory Remarks
2. Review of Meeting Agenda
3. Review/Approval of the Sixty-Fifth Meeting Summary
4. FAA Surveillance and Broadcast Services (SBS) Program—Status
5. WG–3—Extended Squitter MOPS/SC–209 Transponder MOPS revisions
   - Status
6. WG–4—Application Technical Requirements
   - A–IM: Status
7. New Business
8. Other Business
   - Update on Aireon activities from Mike Garcia
9. Review Action Items/Work Programs
10. Adjourn Plenary

Attendance is open to the interested public but limited to space availability. 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 October 6, 2016.

Mohannad Dawoud,

Management & Program Analyst, Partnership Contracts Branch, ANG–A17 NextGen, Procurement Services Division, Federal Aviation Administration.

[FR Doc. 2016–24589 Filed 10–11–16; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration (FTA), DOT.

Announcement of Fiscal Year 2016 Grants for Buses and Bus Facilities Competitive Program Project Selections

AGENCY: Federal Transit Administration.

ACTION: Notice.

SUMMARY: The U.S. Department of Transportation's (DOT) Federal Transit Administration (FTA) announces the selection of projects with Fiscal Year (FY) 2016 appropriations for the Grants for Buses and Bus Facilities Competitive Program (Bus Program), as authorized by Federal transit law. A total of $210,990,000 is available for competitive allocations in FY 2016. On March 29, 2016, FTA published a Notice of Funding Opportunity (NOFO) (81 FR 17553) announcing the availability of Federal funding for the Bus Program. These program funds will provide financial assistance to states and eligible public agencies to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities, including technological changes or innovations to modify low or no emission vehicles or facilities.

FOR FURTHER INFORMATION CONTACT: Successful applicants should contact the appropriate FTA Regional Office for information regarding applying for the funds or program-specific information. A list of Regional Offices can be found at *www.fta.dot.gov.* Unsuccessful applicants may contact Sam Snead, Office of Program Management at (202) 366–1089, email: *Samuel.Snead@dot.gov,* to arrange a proposal debriefing within 30 days of this announcement. A TDD is available at 1–800–877–8339 (TDD/FIRS).

SUPPLEMENTARY INFORMATION: In response to the NOFO, FTA received 284 project proposals from 47 states requesting $1.64 billion in Federal funds, or nearly eight dollars requested for each dollar available, indicating

significant demand for funding for buses and bus facility projects. Project proposals were evaluated based on each applicant's responsiveness to the program evaluation criteria outlined in the NOFO.

FTA is funding 61 projects, as shown in Table 1, for a total of $210,990,000. Recipients selected for competitive funding should work with their FTA Regional Office to submit a grant application in FTA's Transit Award Management System (TrAMs) for the projects identified in the attached table. Funds must be used consistent with the competitive proposal and for the eligible capital purposes established in the NOFO and described in the FTA Circular 9030.1E.

In cases where the allocation amount is less than the proposer's total requested amount, recipients are required to fund the scalable project option as described in the application. If the award amount does not correspond to the scalable option, for example due to a cap on the award amount, the recipient should work with the Regional Office to reduce scope or scale the project such that a complete phase or project is accomplished. Recipients are reminded that program requirements such as cost sharing or local match can be found in the NOFO. A discretionary project identification number has been assigned to each project for tracking purposes and must be used in the TrAMs application.

Selected projects are eligible to incur costs under pre-award authority no earlier than the date projects were publicly announced, September 8, 2016. Pre-award authority does not guarantee that project expenses incurred prior to the award of a grant will be eligible for reimbursement, as eligibility for reimbursement is contingent upon other requirements, such as planning and environmental requirements, having been met. For more about FTA's policy on pre-award authority, please see the FTA Fiscal Year 2016 Apportionments, Allocations, and Program Information and Interim Guidance found in 81 *FR* 7893 (February 16, 2016). Post-award reporting requirements include submission of the Federal Financial Report and Milestone progress reports in TrAMs as appropriate (see FTA.C.5010.1D and C9030.1E). Recipients must comply with all applicable Federal statutes, regulations, executive orders, FTA circulars, and other Federal requirements in carrying out the project supported by the FTA grant. FTA emphasizes that recipients must follow all third-party procurement guidance, as described in FTA.C.4220.1F. Funds allocated in this announcement must be obligated in a grant by September 30, 2019.

Technical Review and Evaluation Summary: FTA assessed all project proposals that were submitted under the FY 2016 Grants for Buses and Bus Facilities competition according to the following evaluation criteria. The specific metrics for each criterion were described in the March 29, 2016 Notice of Funding Opportunity (NOFO):

1. Demonstration of Need
2. Demonstration of Benefits
3. Project Implementation Strategy
4. Planning/Local Prioritization
5. Local Financial Commitment
6. Technical, Legal, and Financial Capacity

For each project, a technical review panel assigned a rating of Highly Recommended, Recommended or Not Recommended for each of the six criteria. The technical review panel then assigned an overall rating of Highly Recommended, Recommended, Not Recommended or Ineligible to the project proposal.

Projects were assigned a final overall rating of Highly Recommended if they were rated Highly Recommended in the Demonstration of Need and Demonstration of Benefits criteria and at least four categories overall, with no ''Not Recommended'' ratings. Projects were assigned a final overall rating of Recommended if the project had no more than one Not Recommended rating among the six criteria and at least Recommended for Demonstration of Need and Demonstration of Benefits. Projects were assigned a rating of a Not Recommended if they received Not Recommended rating in two or more criteria, or received a rating of Not Recommended for any one among the Demonstration of Need, Demonstration of Benefits, or Technical/Financial/Legal Capacity criteria. A summary of the overall scores is shown in the table below.

Overall Project Ratings (All Submissions):

Highly Recommended	36 projects
Recommended	158
Not Recommended	77
Ineligible	13
Total	284

As outlined in the NOFO, FTA made the final selections based on the technical ratings as well geographic diversity, diversity in the size of the transit systems, and/or receipt of other recent competitive awards. As further outlined in the NOFO, in some cases, due to funding limitations, proposers that were selected for funding received less than the amount originally requested. FTA was able to fund all the Highly Recommended projects, excluding applicants that already received FY 2016 Low and No Emission Grant Funding awarded under this NOFO. None of the projects that received an overall rating of Not Recommended or Ineligible were selected for funding.

In the interest of geographic diversity, FTA awarded funding to at least one project in each state that submitted a project rated at least recommended. These projects were selected based on their technical rating, while also considering the amount requested and directing at least 10% of the program funding to projects in rural areas, as required by law.

Authority: 49 U.S.C. 5339(b).

Carolyn Flowers,

Acting Administrator.

TABLE 1—FY 16 GRANTS FOR BUSES AND BUS FACILITIES COMPETITION PROJECT SELECTIONS

State	Recipient	Project ID	Project description	Allocation	Project rating
AK	Fairbanks North Star Borough.	D2016–BUSP–001	Renovate and expand bus maintenance and storage facility.	12,800,000	Highly Recommended.
AL	Birmingham-Jefferson County Transit Authority.	D2016–BUSP–002	Purchase compressed natural gas (CNG) bus.	405,000	Recommended.
AR	Central Arkansas Transit Authority dba Rock Region METRO.	D2016–BUSP–003	Purchase CNG buses	1,653,498	Recommended.
AZ	N. Arizona Intergovernmental Public Transportation Authority.	D2016–BUSP–004	Purchase hybrid diesel-electric buses.	2,202,522	Highly Recommended.

TABLE 1—FY 16 GRANTS FOR BUSES AND BUS FACILITIES COMPETITION PROJECT SELECTIONS—Continued

State	Recipient	Project ID	Project description	Allocation	Project rating
AZ	Yavapai-Apache Nation	D2016–BUSP–005	Purchase 15-passenger van; construct bus stop shelters.	105,000	Highly Recommended.
CA	California Department of Transportation.	D2016–BUSP–006	Construct new bus maintenance facility.	4,280,512	Highly Recommended.
CA	Foothill Transit	D2016–BUSP–007	Design and construct transit center at Mount San Antonio College.	7,240,000	Highly Recommended.
CA	Los Angeles County Metropolitan Transportation Authority.	D2016–BUSP–008	Purchase CNG replacement buses, install related CNG infrastructure, workforce development.	10,500,000	Highly Recommended.
CA	Marin County Transit District.	D2016–BUSP–009	Design and construct vehicle maintenance and storage facility; workforce development.	4,400,000	Highly Recommended.
CA	Monterey-Salinas Transit	D2016–BUSP–010	Purchase replacement buses; workforce development and training.	3,687,100	Highly Recommended.
CA	Sacramento Regional Transit District.	D2016–BUSP–011	Purchase CNG fueled replacement buses.	695,088	Highly Recommended.
CA	Sacramento Regional Transit District.	D2016–BUSP–012	Replace CNG fueling equipment at bus maintenance facility.	400,000	Highly Recommended.
CA	San Joaquin Regional Transit District.	D2016–BUSP–013	Purchase replacement hybrid diesel-electric buses.	8,284,000	Highly Recommended.
CA	San Luis Obispo Regional Transit Authority.	D2016–BUSP–014	Design and construct new downtown transit center to replace current facility.	4,000,000	Highly Recommended.
CA	Santa Barbara Metropolitan Transit District.	D2016–BUSP–015	Purchase replacement buses.	5,680,905	Highly Recommended.
CO	Mesa County	D2016–BUSP–016	Purchase replacement buses.	208,000	Highly Recommended.
FL	Hillsborough Transit Authority.	D2016–BUSP–017	Purchase CNG buses	4,273,771	Recommended.
GA	Chatham Area Transit Authority.	D2016–BUSP–018	Purchase paratransit vehicles.	1,608,880	Highly Recommended.
HI	State of Hawaii, Department of Transportation.	D2016–BUSP–019	Purchase replacement transit vehicles.	960,000	Recommended.
IA	Iowa Department of Transportation.	D2016–BUSP–020	Purchase transit vehicles for rural operators.	4,273,771	Recommended.
IL	Rock Island Co. Metropolitan Mass Transit District.	D2016–BUSP–021	Purchase CNG buses	391,000	Recommended.
IN	City of Columbus	D2016–BUSP–022	Purchase of small heavy duty transit vehicles.	728,000	Recommended.
KY	Kentucky Transportation Cabinet.	D2016–BUSP–023	Purchase transit vehicles for rural service.	5,823,974	Highly Recommended.
MA	Massachusetts Bay Transportation Authority.	D2016–BUSP–024	Construct New Quincy Center bus terminal and intermodal enhancements.	4,273,771	Recommended.
MD	Maryland Department of Transportation.	D2016–BUSP–025	Rehabilitate transit buses; workforce training.	533,575	Recommended.
ME	Maine Department of Transportation.	D2016–BUSP–026	Purchase replacement buses.	1,441,600	Recommended.
MI	Mass Transportation Authority (Flint, MI).	D2016–BUSP–027	Purchase CNG transit buses; workforce development.	12,800,000	Highly Recommended.
MN	Metropolitan Council Metro Transit.	D2016–BUSP–028	Purchase low floor buses	103,515	Recommended.
MO	City Utilities of Springfield, Missouri.	D2016–BUSP–029	Purchase buses; workforce development.	3,870,960	Highly Recommended.
MO	Kansas City Area Transportation Authority.	D2016–BUSP–030	Purchase buses	8,986,350	Highly Recommended.
MT	Confederated Salish and Kootenai Tribes.	D2016–BUSP–031	Purchase buses and vans; workforce development.	681,450	Highly Recommended.
NC	City of Greensboro	D2016–BUSP–032	Renovate ticketing, call center, and waiting areas at the J. Douglas Galyon Depot.	960,000	Recommended.
ND	North Dakota Department of Transportation.	D2016–BUSP–033	Purchase replacement rural transit vehicles and two intercity bus vehicles.	844,000	Recommended.

TABLE 1—FY 16 GRANTS FOR BUSES AND BUS FACILITIES COMPETITION PROJECT SELECTIONS—Continued

State	Recipient	Project ID	Project description	Allocation	Project rating
NE	Transit Authority of the City of Omaha.	D2016–BUSP–034	Purchase low floor, CNG buses and maintenance equipment; workforce development.	2,424,240	Recommended.
NH	New Hampshire Department of Transportation.	D2016–BUSP–035	Purchase heavy-duty transit bus.	382,500	Recommended.
NJ	New Jersey Transit Corporation.	D2016–BUSP–036	Construct new bus terminal	2,656,452	Recommended.
NM	City of Las Cruces	D2016–BUSP–037	Purchase buses for vehicle replacement and service expansion.	1,134,750	Recommended.
NY	New York City Department of Transportation.	D2016–BUSP–038	Construct a combination of bus lanes, stations, refurbished bus stops and transfer points, safety improvements, and transit signal priority and signal timing changes.	4,273,771	Recommended.
OH	Ohio Department of Transportation.	D2016–BUSP–039	Purchase replacement transit vehicles for rural service.	6,691,634	Highly Recommended.
OK	Central Oklahoma Transportation and Parking Authority.	D2016–BUSP–040	Purchase CNG replacement buses.	1,932,000	Highly Recommended.
OK	Oklahoma Department of Transportation.	D2016–BUSP–041	Purchase replacement ADA transit vehicles.	3,590,154	Highly Recommended.
OR	City of Wilsonville—SMART Transit.	D2016–BUSP–042	Purchase low-floor 30-foot replacement bus.	320,000	Highly Recommended.
PA	River Valley Transit (Williamsport, AA).	D2016–BUSP–043	Purchase CNG replacement buses.	2,040,000	Highly Recommended.
PA	Southeastern Pennsylvania Transportation Authority (SEPTA).	D2016–BUSP–044	Rehabilitate Wissahickon Transit Center.	4,000,000	Highly Recommended.
PA	Transportation and Motor Buses for Public Use Authority (Altoona, PA).	D2016–BUSP–045	Purchase replacement transit buses.	864,000	Highly Recommended.
RI	Rhode Island Public Transit Authority.	D2016–BUSP–046	Construct New Goff Avenue bus hub and passenger facility and transit corridor improvements.	5,636,745	Highly Recommended.
SC	Berkeley-Charleston-Dorchester Council of Governments.	D2016–BUSP–047	Purchase 40ft low-floor commuter style coaches and related equipment.	6,153,600	Highly Recommended.
SD	City of Sioux Falls	D2016–BUSP–048	Rehabilitate downtown transit station.	1,145,850	Highly Recommended.
TN	Memphis Area Transit Authority.	D2016–BUSP–049	Purchase replacement transit buses.	4,273,771	Recommended.
TX	Capital Metropolitan Transportation Authority.	D2016–BUSP–050	Purchase replacement transit vehicles.	11,249,240	Highly Recommended.
TX	City of Laredo & Laredo Transit Management Inc.	D2016–BUSP–051	Rehabilitate El Metro Administration Facility.	9,875,083	Highly Recommended.
TX	City of Wichita Falls	D2016–BUSP–052	Purchase replacement buses.	1,376,000	Highly Recommended.
UT	Utah Transit Authority	D2016–BUSP–053	Purchase replacement buses.	4,273,770	Recommended.
VA	Transportation District Commission of Hampton Roads.	D2016–BUSP–054	Purchase heavy duty transit buses.	1,257,393	Recommended.
VI	Virgin Islands Department of Public Works.	D2016–BUSP–055	Rehabilitate La Reine Bus Facility.	1,696,405	Recommended.
VT	Vermont Agency of Transportation.	D2016–BUSP–056	Purchase heavy-duty transit buses.	3,924,000	Recommended.
WA	City of Longview	D2016–BUSP–057	Construct expansion of downtown transit center.	2,784,000	Highly Recommended.
WA	City of Longview	D2016–BUSP–058	Purchase low-floor biodiesel buses.	832,000	Highly Recommended.
WA	Clark County Public Transportation Benefit Area.	D2016–BUSP–059	Purchase low floor hybrid diesel-electric replacement buses.	6,080,000	Highly Recommended.
WA	Spokane Transit Authority	D2016–BUSP–060	Construct multimodal transit center.	1,000,000	Highly Recommended.

TABLE 1—FY 16 GRANTS FOR BUSES AND BUS FACILITIES COMPETITION PROJECT SELECTIONS—Continued

State	Recipient	Project ID	Project description	Allocation	Project rating
WI	Wisconsin Department of Transportation.	D2016–BUSP–061	Purchase replacement for side loading accessible mini-van.	26,400	Recommended.
Total	.....	.....	.....	*210,990,000	

[FR Doc. 2016–24524 Filed 10–11–16; 8:45 am]

BILLING CODE P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

The Department of the Treasury will submit the following information collection request(s) to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13, on or after the date of publication of this notice.

DATES: Comments should be received on or before November 14, 2016 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimates, or any other aspect of the information collection(s), including suggestions for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at *OIRA_Submission@OMB.EOP.gov* and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8142, Washington, DC 20220, or email at *PRA@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained by emailing *PRA@treasury.gov*, calling (202) 622–0934, or viewing the entire information collection request at *www.reginfo.gov.*

Community Development Financial Institutions (CDFI) Fund

OMB Control Number: 1559–0024.

Type of Review: Extension without change of a currently approved collection.

Title: New Markets Tax Credit (NMTC) Program Allocation Tracking System (ATS).

Abstract: The NMTC Program was established by Congress in 2000 to spur new or increased investments into operating businesses and real estate projects located in low-income communities. The program attracts investment capital to low-income communities by permitting individual and corporate investors to receive a tax credit against their Federal income tax return in exchange for making equity investments in specialized financial institutions called Community Development Entities (CDEs). Via a competitive process, the CDFI Fund awards NMTC allocation awards to select CDEs, based upon information submitted in their NMTC Allocation Application. Entities receiving a NMTC allocation must enter into an allocation agreement with the CDFI Fund. The allocation agreement contains the terms and conditions, including all reporting requirements, associated with the receipt of a NMTC allocation. The CDFI Fund requires each CDE to use an electronic data collection and submission system, known as the Allocation Tracking System (ATS) to collect information on investors making Qualified Equity Investments (QEIs) in CDEs.

The ATS enhances the allocatee's ability to report such information to the CDFI Fund in a timely fashion. This information is also used by the Treasury Department to (1) monitor the issuance of QEIs to ensure that no allocatee exceeds its allocation authority; (2) ensure that QEIs are issued within the timeframes required by the NMTC Program regulations and the legal agreements signed between the CDFI Fund and the allocatee; and (3) assist with NMTC Program evaluation efforts.

Affected Public: Private Sector: Business or other for-profits, Not-for-profit institutions); State, Local, and Tribal Governments.

Estimated Total Annual Burden Hours: 5,940.

Dated: October 5, 2016.

Brenda Simms,

Treasury PRA Clearance Officer.

[FR Doc. 2016–24565 Filed 10–11–16; 8:45 am]

BILLING CODE 4810–70–P

DEPARTMENT OF THE TREASURY

Proposed Collection; Comment Request

AGENCY: Departmental Offices, Treasury.

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 comment on this continuing information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments should be received on or before December 12, 2016 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to the Department of the Treasury, Office of Financial Stability, ATTN: Linda Snoddy, 1500 Pennsylvania Avenue NW., Washington, DC 20020 or to *Linda.Snoddy@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to the Department of the Treasury, Office of Financial Stability, ATTN: Linda Snoddy, 1500 Pennsylvania Avenue NW., Washington, DC 20020; (202) 622–0148; or *Linda.Snoddy@treasury.gov.*

SUPPLEMENTARY INFORMATION:

OMB Control Number: 1505–0223.

Title: Troubled Asset Relief Program—Community Development Capital Initiative (CDCI).

Abstract: The Department of the Treasury (Treasury) established the TARP Community Development Capital Initiative (CDCI) in 2010 to purchase qualifying assets from U.S. banking organizations that are certified Community Development Financial Institutions (CDFIs). Banks, savings associations, bank holding companies, savings and loan holding companies and credit unions were eligible to participate. Funding to successful CDCI applicants was completed in September 2010. For a limited period of time, Treasury is offering interested CDCI participants the opportunity to exit the CDCI program by repurchasing the CDCI securities held by Treasury at fair value. The information collection provides instructions and an application for CDCI institutions that would like to apply to

exit the CDCI program using this process.

Type of Review: Extension of a currently approved collection.

Affected Public: Businesses or other for-profits: CDCI institutions.

Estimated Number of Annual Respondents: 55.

Estimated Hours per Response: 24 hrs. initially; 10 hrs. for resubmission.

Estimated Total Annual Burden Hours: 1,570.

Request for Comments: Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval. Comments may become a matter of public record. The public is invited to submit comments concerning: (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 the burden of the 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 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.

Dated: October 6, 2016.

Brenda Simms,

Treasury PRA Clearance Officer.

[FR Doc. 2016–24655 Filed 10–11–16; 8:45 am]

BILLING CODE 4810–25–P

DEPARTMENT OF THE TREASURY

Departmental Offices; Interest Rate Paid on Cash Deposited to Secure U.S. Immigration and Customs Enforcement Immigration Bonds

AGENCY: Departmental Offices, Treasury.

ACTION: Notice.

SUMMARY: For the period beginning October 1, 2016, and ending on December 31, 2016, the U.S. Immigration and Customs Enforcement Immigration Bond interest rate is 0.31 per centum per annum.

DATES: Effective October 1, 2016 to December 31, 2016.

ADDRESSES: Comments or inquiries may be mailed to Sam Doak, Reporting Team Leader, Federal Borrowings Branch, Division of Accounting Operations, Office of Public Debt Accounting, Bureau of the Fiscal Service, Parkersburg, West Virginia, 26106–1328. You can download this notice at the following Internet addresses: *http://www.treasury.gov* or *http://www.federalregister.gov*.

FOR FURTHER INFORMATION CONTACT: Adam Charlton, Manager, Federal Borrowings Branch, Office of Public Debt Accounting, Bureau of the Fiscal Service, Parkersburg, West Virginia, 26106–1328, (304) 480–5248; Sam Doak, Reporting Team Leader, Federal Borrowings Branch, Division of Accounting Operations, Office of Public Debt Accounting, Bureau of the Fiscal Service, Parkersburg, West Virginia, 26106–1328, (304) 480–5117.

SUPPLEMENTARY INFORMATION: Federal law requires that interest payments on cash deposited to secure immigration bonds shall be ''at a rate determined by the Secretary of the Treasury, except that in no case shall the interest rate exceed 3 per centum per annum.'' 8 U.S.C. 1363(a). Related Federal regulations state that ''Interest on cash deposited to secure immigration bonds will be at the rate as determined by the Secretary of the Treasury, but in no case will exceed 3 per centum per annum or be less than zero.'' 8 CFR 293.2. Treasury has determined that interest on the bonds will vary quarterly and will accrue during each calendar quarter at a rate equal to the lesser of the average of the bond equivalent rates on 91-day Treasury bills auctioned during the preceding calendar quarter, or 3 per centum per annum, but in no case less than zero. [Insert FR citation of the methodology notice] In addition to this Notice, Treasury posts the current quarterly rate in Table 2b—Interest Rates for Specific Legislation on the TreasuryDirect Web site.

Gary Grippo,

Deputy Assistant Secretary for Public Finance.

[FR Doc. 2016–24535 Filed 10–11–16; 8:45 am]

BILLING CODE 4810–25–P

DEPARTMENT OF THE TREASURY

United States Mint

Request for Citizens Coinage Advisory Committee Membership Applications

ACTION: Notice.

SUMMARY: Pursuant to United States Code, Title 31, section 5135(b), the United States Mint is accepting applications for appointment to the Citizens Coinage Advisory Committee (CCAC) as a member representing the *interests of the general public* in the coinage of the United States. The CCAC was established to:

- Advise the Secretary of the Treasury on any theme or design proposals relating to circulating coinage, bullion coinage, Congressional Gold Medals, and national and other medals produced by the United States Mint.
- Advise the Secretary of the Treasury with regard to the events, persons, or places that the CCAC recommends to be commemorated by the issuance of commemorative coins in each of the five calendar years succeeding the year in which a commemorative coin designation is made.
- Make recommendations with respect to the mintage level for any commemorative coin recommended.

Total membership consists of eleven voting members appointed by the Secretary of the Treasury:

- One person specially qualified by virtue of his or her education, training or experience as nationally or internationally recognized curator in the United States of a numismatic collection;
- One person specially qualified by virtue of his or her experience in the medallic arts or sculpture;
- One person specially qualified by virtue of his or her education, training, or experience in American history;
- One person specially qualified by virtue of his or her education, training, or experience in numismatics;
- Three persons who can represent the interests of the general public in the coinage of the United States; and
- Four persons appointed by the Secretary of the Treasury on the basis of the recommendations by the House and Senate leadership.

Members are appointed for a term of four years. No individual may be appointed to the CCAC while serving as an officer or employee of the Federal Government.

The CCAC is subject to the direction of the Secretary of the Treasury. Meetings of the CCAC are open to the public and are held approximately five to seven times per year. The United States Mint is responsible for providing the necessary support, technical services, and advice to the CCAC. CCAC members are not paid for their time or services, but, consistent with Federal Travel Regulations, members are reimbursed for their travel and lodging expenses to attend meetings. Members are Special Government Employees and are subject to the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR part 2653).

The United States Mint will review all submissions and will forward its recommendations to the Secretary of the

Treasury for appointment consideration. Candidates should include specific skills, abilities, talents, and credentials to support their applications. The United States Mint is interested in candidates who are recognized as having unique and valued talents or as an accomplished professional; have demonstrated experience, knowledge, interest, or background in a variety of fields, including numismatics, art, education, working with youth, or American heritage and culture; have demonstrated interest and a commitment to actively participate in CCAC meetings and activities, and a demonstrated understanding of the role of the CCAC and the obligations of a Special Government Employee; possess demonstrated leadership skills in their fields of expertise or discipline; possess a demonstrated desire for public service and have a history of honorable professional and personal conduct, as well as successful standing in their communities; and who are free of professional, political, or financial interests that could negatively affect their ability to provide impartial advice.

Application Deadline: Friday, October 21, 2016.

Receipt of Applications: Any member of the public wishing to be considered for participation on the Citizens Coinage Advisory Committee should submit a resume and cover letter describing his or her reasons for seeking and qualifications for membership, by email to *info@ccac.gov,* by fax to 202–756–6525, or by mail to the United States Mint; 801 9th Street NW., Washington, DC 20220; Attn: Greg Weinman. Submissions must be postmarked no later than Friday, October 14, 2016.

Notice Concerning Delivery of First-Class and Priority Mail: First-class mail to the United States Mint is put through an irradiation process to protect against biological contamination. Support materials put through this process may suffer irreversible damage. We encourage you to consider using alternate delivery services, especially when sending time-sensitive material.

FOR FURTHER INFORMATION CONTACT: Betty Birdsong, Acting United States Mint Liaison to the CCAC; 801 Ninth Street NW., Washington, DC 20220; or call 202–354–7770.

Dated: October 6, 2016.

Richard A. Peterson,

Deputy Director for Manufacturing and Quality, United States Mint.

[FR Doc. 2016–24635 Filed 10–11–16; 8:45 am]

BILLING CODE 4810–37–P

UNITED STATES INSTITUTE OF PEACE

Notice of Meeting

Date/Time: Friday, October 21, 2016 (10:00 a.m.–2:30 p.m.).

Location: 2301 Constitution Avenue NW., Washington, DC 20037.

Status: Open Session—Portions may be closed pursuant to Subsection (c) of Section 552(b) of Title 5, United States Code, as provided in subsection 1706(h)(3) of the United States Institute of Peace Act, Public Law 98–525.

Agenda: October 21, 2016 Board Meeting; Approval of Minutes of the One Hundred Fifty-ninth Meeting (July 22, 2016) of the Board of Directors; Chairman's Report; Vice Chairman's Report; President's Report; Reports from USIP Board Committees; ACT Organizational Presentation, CVE/RESOLVE Network Update.

Contact: Nick Rogacki, Special Assistant to the President, Email: *nrogacki@usip.org.*

Dated: October 5, 2016.

Nicholas Rogacki,

Special Assistant to the President.

[FR Doc. 2016–24620 Filed 10–11–16; 8:45 am]

BILLING CODE 6820–AR–P

FEDERAL REGISTER

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No. 197 October 12, 2016

Part II

Department of State

Office of the Chief of Protocol; Gifts to Federal Employees From Foreign Government Sources Reported to Employing Agencies in Calendar Year 2015; Notices

DEPARTMENT OF STATE

[Public Notice: 9749]

Office of the Chief of Protocol; Gifts to Federal Employees From Foreign Government Sources Reported to Employing Agencies in Calendar Year 2015

The Department of State submits the following comprehensive listing of the statements which, as required by law, federal employees filed with their employing agencies during calendar year 2015 concerning gifts received from foreign government sources. The compilation includes reports of both tangible gifts and gifts of travel or travel expenses of more than minimal value, as defined by the statute. Also included are gifts received in previous years including one gift in 1997, one gift in 2001, one gift in 2002, one gift in 2003, one gift in 2004, five gifts in 2006, thirty gifts in 2007, twenty-two gifts in 2008, sixty-one gifts in 2009, twenty-seven gifts in 2010, twenty-one gifts in 2011, forty-six gifts in 2012, twenty-five gifts in 2013, fifty gifts in 2014, and twelve gifts with unknown dates. With the exception of the gifts reported by the United States Senate, these latter gifts are being reported in 2015 as the Office of the Chief of Protocol, Department of State, did not receive the relevant information to include them in earlier reports.

Publication of this listing in the **Federal Register** is required by Section 7342(f) of Title 5, United States Code, as added by Section 515(a)(1) of the Foreign Relations Authorization Act, Fiscal Year 1978 (Pub. L. 95–105, August 17, 1977, 91 Stat. 865).

Dated: September 22, 2016.

Patrick F. Kennedy,

Under Secretary for Management, U.S. Department of State.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	Framed etching of Stonehenge. Rec'd—1/15/2015. Est. Value—$2,090.00. Disposition—National Archives and Records Administration.	The Right Honorable David Cameron, MP, Prime Minister of the United Kingdom of Great Britain and Northern Ireland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Telegram facsimile from the U.S. to India's Constituent Assembly in 1946. Reproduction of the cover page of a report on India's Constitutional Debates. 17″ x 13″ framed photograph of Marian Anderson's radio interview in India. Hand-carved wooden Jali box with a small wooden latch and photo of Marian Anderson's radio interview in India on the lid. CD set, title: *All India Radio Interview with Ms. Marian Anderson, 18 November 1957, New Delhi.* Hand-carved black wooden Jali box with painting on the lid. Blue Shahmina shawl. Red Shahmina shawl. Beige and cream colored Shahmina shawl. Rec'd—1/25/2015. Est. Value—$1,231.00. Disposition—National Archives and Records Administration.	His Excellency Narendra Modi, Prime Minister of the Republic of India.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	Model spinning wheel with white tread looped around the wheel. Cloth scroll listing the Seven Social Sins as articulated by Mahatma Ghandi. Book, title: *Mahatma Gandhi.* Book, title: *An Autobiography—The Story of my Experiments with the Truth.* Ivory colored cloth. 56″ x 96″ bronze-colored bust of Mohandas Karamchard Gandhi on a wood base. Small burlap tote bag with zipper. Small burlap bag with velcro closure. Large burlap bag with straps and zippers. Rec'd—1/24/2015. Est. Value—$929.01. Disposition—National Archives and Records Administration.	Mr. Rajnish Kumar, Secretary of the Rajghat Samadhi Committee of the Republic of India.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Book, title: *Thoughts and Reflections.* Book, title: *Winged Wonders of Rashtrapati Bhavan RB Series 2012–2014.* Photobook, title: *State Visit of His Excellency Mr. Barack H. Obama, President of the United States of America and Mrs. Michelle Obama to India 25 to 27 January 2015.* Rec'd—1/26/2015. Est. Value—$825.00. Disposition—National Archives and Records Administration.	His Excellency Pranab Mukherjee, President of the Republic of India.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Framed watercolor painting of men playing basketball. Book, title: *Ulrich Zeh.* Rec'd—2/9/2015. Est. Value—$440.00. Disposition—National Archives and Records Administration.	Her Excellency Dr. Angela Merkel, Chancellor of the Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Silver bowl with the Qatari insignia in the center and bordered by an alphabetical listing of national capitals and their distance from Doha in kilometers. Rec'd—2/24/2015. Est. Value—$6,500.00. Disposition—National Archives and Records Administration.	His Highness Sheikh Tamim bin Hamad Al Thani, Emir of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Hunter green hardcover book of poetry authored by William Butler Yeats. Crystal presentation bowl with personalized inscription and quotes by Yeats along the top border with shamrocks with a round base. Rec'd—3/16/2015. Est. Value—$10,556.00. Disposition—National Archives and Records Administration.	His Excellency Enda Kenny, T.D., Prime Minister of Ireland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	10″ diameter blue lapis lazuli vase with stone inlay. 10″ diameter blue lapis lazuli bowl in a mosaic pattern. Rec'd—3/23/2015. Est. Value—$2,425.00. Disposition—National Archives and Records Administration.	His Excellency Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	Two 15″ x 10″ glass display panels in bright multicolor with stands. Shirt of sheer white cotton. Rec'd—4/9/2015. Est. Value—$384.79. Disposition—National Archives and Records Administration.	His Excellency Juan Carlos Varela, President of the Republic of Panama.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Four etchings on copper plates each depicting a theater: Greek, Roman, Odeaon, and Gaul-Roman. Rec'd—4/16/2015. Est. Value—$760.00. Disposition—National Archives and Records Administration.	His Excellency Matteo Renzi, President of the Council of Ministers of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	35″ x 43″ framed painting of shapes and lines in blue, grey, black, and purple. Brown leather portfolio. Rec'd—4/20/2015. Est. Value—$1,040.00. Disposition—National Archives and Records Adminsitration.	His Highness Sheikh Mohammed Bin Zayed Al Nahyan, Crown Prince of Abu Dhabi.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	GPS solar analog wristwatch with steel link band, charcoal dial, and solar panel face. Rec'd—4/27/2015. Est. Value—$1,722.00. Disposition—National Archives and Records Administration.	His Excellency Shinzo Abe, Prime Minister of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	36″ sword with handle made of mother-of-pearl and gold and a sheath of ruby-encrusted gold and handmade silver detail. Rec'd—5/13/2015. Est. Value—$87,900.00. Disposition—National Archives and Records Administration.	His Royal Highness Mohammed bin Naif bin Abdulaziz Al Saud, Crown Prince, Deputy Prime Minister, and Minister of Interior of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Sterling silver coffee pot with beaded handle. Six small porcelain coffee cups. Two glass jars with silver lids. Box of assorted dates. Rec'd—5/13/2015. Est. Value—$502.50. Disposition—National Archives and Records Administration. Perishable items handled pursuant to United States Secret Service policy.	His Highness Sheikh Mohammed Bin Zayed Al Nahyan, Crown Prince of Abu Dhabi.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Large sterling silver coffee pot with detailed engravings. Rec'd—5/13/2015. Est. Value—$1,900.00. Disposition—National Archives and Records Adminstration.	His Highness Sayyid Fahd Bin Mahmoud Al Said, Deputy Prime Minister for the Council of Ministers of the Sultanate of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	24″ x 15″ silver-coated resin sculpture of camels and Bedouin on a green marble base. Rec'd—5/14/2015. Est. Value—$42,000.00. Disposition –National Archives and Records Administration.	His Highness Sheikh Sabah Al-Ahmed Al-Jaber Al-Sabah, Amir of the State of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	Sterling silver sphere that opens to display a clock under a magnifying glass on a wooden pedestal. Rec'd—5/14/2015. Est. Value—$10,064.00. Disposition—National Archives and Records Administration.	His Royal Highness Salman Bin Hamad Al Khalifa, Crown Prince of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	31″ x 42″ framed pencil sketch portrait of President Obama. Rec'd—5/14/2015. Est. Value—$550.00. Disposition—National Archives and Records Administration..	His Excellency Lieutenant General Dr. Seretse Khama Ian Khama, President of the Republic of Botswana.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	9″ gold-plated mechanical bird of a Common Chiffchaff that tweets, turns, and flaps its wings once per hour. Rec'd—5/14/2015. Est. Value—$110,000.00. Disposition—National Archives and Records Administration.	His Highness Sheikh Tamim bin Hamad Al Thani, Emir of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	12″ miniature replica palm tree made of silver filigree on a marble base. Rec'd—5/21/2015. Est. Value—$1,900.00. Disposition—National Achives and Records Administration.	His Excellency Beji Caid Essebsi, President of the Republic of Tunisia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Personalized bicycle made of black metal with bell. 10″ x 12″ framed inscribed photograph of the King and Queen of the Netherlands. Rec'd—5/31/2015. Est. Value—$1,600.00. Disposition—National Archives and Records Administration.	His Majesty King Willem-Alexander, King of the Netherlands.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Gold-tone cufflinks engraved with Bavarian coat of arms. 20″ carved wooden statue of a barefoot man with a walking stick and red satchel. Trekking poles with wristbands attached at the top. Black traditional Bavarian jacket with green collar. Brown leather hiking boots. Black hiking socks. Rec'd—6/7/2015. Est. Value—$1,928.71. Disposition—National Archives and Records Administration.	His Excellency Horst Seehofer, Minister-President of Bavaria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Ballpoint pen. Silver pocketwatch. USB drive. Rec'd—6/10/2015. Est. Value—$440.99. Disposition—National Archives and Records Administration. USB drive handle pursuant to United States Secret Service policy.	Dr. Saleem Al-Jabouri, Speaker of the Council of Representatives of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Warm-up jacket for the Brazil Olympic Team. Rio 2016 white t-shirt. Book set of Brazilian classic literature in green leather-bound volumes. Silvertone cufflinks. Rec'd—6/30/2015. Est. Value—$695.50. Disposition—National Archives and Records Administration.	Her Excellency Dilma Rousseff, President of the Federative Republic of Brazil.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	7' diameter circular leather mat with geometric pattern. Three 28″ diameter leather covers for seating pads. Rec'd—7/19/2015. Est. Value—$2,260.00. Disposition—National Archives and Records Administration.	His Excellency Muhammadu Buhari, President of the Federal Republic of Nigeria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Two 41″ x 29″ framed photographs of then-Senator Obama's 2006 visit to Ethiopia. Body sash in the colors of the Ethiopian flag. 16″ x 20″ black and silver Amharic number script art. Blue and silver neck tie with Amharic numbers. Rec'd—7/27/2015. Est. Value—$747.95. Disposition—National Archives and Records Administration.	His Excellency Hailemariam Desalegn, Prime Minister of the Federal Democratic Republic of Ethiopia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Book, title: *Kenya.* Book, title: *Kenya the Beautiful.* 12″ x 17″ miniature model of an elephant named Ahmed, known as the "King of Marsabit." 31″ x 25″ painted black and white portrait of the First Family. 36″ x 25″ painted black and white portrait of President Obama. 24″ x 34″ framed oil painting of lions approaching zebras on the African plain. Rec'd—7/27/2015. Est. Value—$3,264.46. Disposition—National Archives and Records Administration.	His Excellency Uhuru Kenyatta, President of the Republic of Kenya.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	13″ x 10″ silver-tone plate with etching of Angkor Wat. Book, title: *Cambodia's Birds.* Rec'd—8/3/2015. Est. Value—$421.32. Disposition—National Archives and Records Administration.	His Excellency Chum Bun Rong, Ambassador of the Kingdom of Cambodia to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	66″ x 22″ framed parchment scroll with hand-painted calligraphy. Rec'd—8/4/2015. Est. Value—$1,200.00. Disposition—National Archives and Records Administration.	His Excellency Ban Ki-moon, Secretary-General of the United Nations.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	26″ x 22″ hand-made and specially commissioned bronze sculpture depicting two horses, one rearing and unsaddled and one standing and saddled, made with gold-plated sterling silver, diamonds, tsavorites, yellow sapphires, rubies, and obsidian mounted on a piano black lacquer rotating base. Chronometer shaped like a large winch from wooden sail ships with gold-plated casing, brass dial, crystal glass, and detail along the sides naming celebrated ships that made significant voyages. Set of ten golf irons. Leather golf bag with white stitching. Rec'd—9/3/2015. Est. Value—$522,972.00. Disposition—National Archives and Records Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	13.5″ painted ebony wooden hand lantern. 18″ x 27″ framed relief art of a woman carrying a basket on her shoulder. Ten pieces of Dutch cloth of varied patterns and colors. Twenty-nine table linen sets of various colors, each including a table cloth, a table runner, and place mats. Twelve bottles of champagne. Rec'd—9/9/2015. Est. Value—$9,054.88. Disposition—National Archives and Records Administration.	His Excellency Thomas Boni Yayi, President of the Republic of Benin.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	15″ x 61″ x 12″ bronze sculpture of five oxen facing different directons along a plank with a plaque describing the artwork's significance. Book, title: *Friends of the Chinese People—Commemorative Stamps.* Book, title: *For Justice and Peace*. Rec'd—9/25/2015. Est. Value—$3,840.00. Disposition—National Archives and Records Administration.	His Excellency Xi Jinping, President of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	14″ large silver teapot with ornate vine design, the symbol of Brunei on the side, a felt bottom, a lid with a knob, and a pivoting handle. Rec'd—10/1/2015. Est. Value—$790.00. Disposition—National Archives and Records Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Men's stainless steel watch with leather band. Soccer ball in German National Team colors signed by the team. German National Team World Cup soccer jersey. Rec'd—10/6/2015. Est. Value—$2,659.99. Disposition—National Archives and Records Administration.	His Excellency Joachim Gauck, President of the Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	13″ x 13″ x 8″ Kismet chest decorated in multicolored glass. Rec'd –10/16/2015. Est. Value—$2,950.00. Disposition—National Archives and Records Administration.	His Excellency Ahmet Davutoğlu, Prime Minister of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Chest of dark wood with metal corners, latch and lock, and lid decorated with an ox horn panel depicting an 18th century royal procession. Rec'd—10/16/2015. Est. Value—$2,900.00. Disposition—National Archives and Records Administration.	Her Excellency Park Geun-hye, President of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Cufflinks with shell design. 11' x 8' rug of multicolored silk. Four framed pictures of President Obama's mother working in Pakistan. Rec'd—10/21/2015. Est. Value—$23,615.00. Disposition—National Archives and Records Administration.	His Excellency Muhammad Nawaz Sharif, Prime Minister of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	13″ diameter round tray of polished silver with engraving around the edge and four spherical legs. Rec'd—10/26/2015. Est. Value—$990.00. Disposition—National Archives and Records Administration.	His Excellency Joko Widodo, President of the Republic of Indonesia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Necktie of woven Turkish Kutnu fabric. Four sheets of stamps commemorating the G20 summit. Silk neck tie with Turkey G20 logo. Two cotton bathrobes with matching 55″ monogrammed towels. Book, title: *A Vision of Global Peace.* 6.25″ silver-tone candy dish with star and crescent moon engraved into top and filled with Turkish delight candy. 12″ porcelain vase with lid. Rec'd—11/15/2015. Est. Value—$1,112.00. Disposition—National Archives and Records Administration. Perishable items handled pursuant to United States Secret Service policy.	His Excellency Recep Tayyip Erdoğan, President of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	20″ wood and metal sculpture of APEC member countries. 16″ x 8″ glass platter with brass banca boat handles. Tablet computer with case. Fifteen bottles of spirits. Banana chips. Chocolate-covered mangos. Rec'd—11/18/2015. Est. Value—$5,026.84. Disposition—National Archives and Records Administration. Table and perishable items handled pursuant to United States Secret Service policy.	His Excellency Benigno Aquino, President of the Republic of the Philippines.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States.	70″ x 104″ rug made of silk in floral pattern with tassels. Rec'd—11/20/2015. Est. Value—$1,600.00. Disposition—National Archives and Records Administration.	General Raheel Sharif, Chief of Army Staff of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	6″ pewter tankard with lid. Miniature silver gong suspended by chains from two curved arms with striking mallet and stand. Leather briefcase set including black document bag with handle and combination lock. 2016 daily planner. Rec'd—11/21/2015. Est. Value—$520.00. Disposition—National Archives and Records Administration.	YAB Dato' Sri Najib bin Tun Abdul Razak, Prime Minister of Malaysia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Food basket of handmade glass with blue tint. Assorted food products. Three candles. 17.5″ x 17.5″ wooden serving board with two holes on the end. Two 3.5″ small metal serving bowls. 8″ x 10″ silver-tone picture frame. Gas-powered wine system. Ten argon gas canisters. 20″ x 12″ x 12″ navy trunk. Rec'd –12/1/2015. Est. Value—$1,636.71. Disposition—National Archives and Records Administration. Food, candles, and gas canisters handled pursuant to United States Secret Service policy.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah, Sultan and Yang Di-Pertuan of Brunei Darussalem.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	Seven boxes of cigars. Rec'd—12/9/2015. Est. Value—$4,158.00. Disposition—Handled pursuant to United States Secret Service policy.	Government of the Republic of Cuba.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States.	29″ x 24″ framed and matted painting of President Obama decorated with floral and animal design. Rec'd—12/27/2015. Est. Value—$460.00. Disposition—National Archives and Records Administration.	His Excellency Jalil Abbas Jilani, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States, and Mrs. Michelle Obama.	4″ x 4″ *Tree of Life* clay figurine including members of the First Family. 4″ x 4″ *President Barack Obama's Tree of Life* clay figurine. 2″ x 2″ *Tree of Life* clay figurine including the White House and staff members. Magnifying glass. Golf ball and baseball cap signed by Mexican professional golfer. Book, title: *Tribute to Lorena Ochoa.*. Rec'd—1/5/2015. Est. Value—$2,950.00. Disposition—National Archives and Records Administration.	His Excellency Enrique Peña Nieto, President of the United Mexican States.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Barack Obama, President of the United States, and Mrs. Michelle Obama.	Two brown leather cell phone sleeves. Two tablet computer sleeves. Laptop computer sleeve. Silk tapestry in red, blue, and brown. Handmade scarf. Rec'd –2/20/2015. Est. Value—$510.00. Disposition—National Archives and Records Administration.	His Excellency Kadyr Toktogulov, Ambassador of the Kyrgyz Republic to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States, and Mrs. Michelle Obama.	Ten CDs of Cuban music with CD rack. Long-sleeved button down linen Guyaybera shirt. Four bottles of spirits. Box of cigars with lighter. Wooden humidor. Four bottles of floral fragrances. Rec'd—4/11/2015. Est. Value—$1,193.57. Disposition—National Archives and Records Administration. Liquids, cigars, lighter, and humidor handled pursuant to United States Secret Service policy.	His Excellency Raúl Castro Ruz, President of the Republic of Cuba.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States, and Mrs. Michelle Obama.	12″ x 10″ signed photograph of the King and Queen of Spain in a silver frame. Rec'd—9/15/2015. Est. Value—$1,100.00. Disposition—National Archives and Records Administration.	His Majesty Felipe VI, King of Spain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barack Obama, President of the United States, and Mrs. Michelle Obama.	12″ x 10″ signed and framed photograph of Prince Henry of Wales. Rec'd—10/28/2015. Est. Value—$450.00. Disposition—National Archives and Records Administration.	His Royal Highness Prince Henry of Wales.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Assorted chocolates in presentation basket. Rec'd—1/20/2015. Est. Value—$842.00. Disposition—Perishable items handled pursuant to United States Secret Service Policy.	His Majesty Mohammed VI, King of Morocco.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Hand-embroidered Shahmina shawl. Hand-carved wooden Jali box. Assorted Indian tea. Rec'd—1/24/2015. Est. Value—$662.00. Disposition—National Archives and Records Administration. Tea handled pursuant to United States Secret Service policy.	His Excellency Narendra Modi, Prime Minister of the Republic of India.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Pashmina Shawl with hand-embroidery. Specially commissioned tea set, including pot, six cups, six saucers, milk pitcher, and sugar jar. Rec'd—1/26/2015. Est. Value—$900.00. Disposition—National Archives and Records Administration.	His Excellency Pranab Mukherjee, President of the Republic of India.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Quilt, hand-made from yellow and blue cotton fabric. Rec'd—2/27/2015. Est. Value—$450.00. Disposition—National Archives and Records Administration.	Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mrs. Michelle Obama, First Lady of the United States.	4″ x 6″ framed drawing of President Obama in blue ink. 5″ x 7″ framed drawing of First Lady Michelle Obama in blue ink. Silk scarf with tassels. Rec'd—3/18/2015. Est. Value—$390.00. Disposition—National Archives and Records Administration.	Ms. Mu Sochua, Member of Parliament of the Kingdom of Cambodia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Necklace of pearls and gold links. 14.5″ x 10.5″ plate of bone china, oval shape, with hand-painted image of Bo and Sunny. Rec'd—3/19/2015. Est. Value—$2,260.00. Disposition—National Archives and Records Administration.	Mrs. Akie Abe, Spouse of the Prime Minister of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Clutch purse in graphite swirl pattern. Aluminum chrysanthemum ornament. Pet accessories set including tray, two collars, and two collar bells, made of beige leather and green thatching. Rec'd—4/27/2015. Est. Value—$413.00. Disposition—National Archives and Records Administration.	Mrs. Akie Abe, Spouse of the Prime Minister of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Commemorative coin from the 5th Anniversary of the Proclamation of His Highness Sheikh Sabah Al-Ahmed Al-Jaber Al-Sabah as the Emir of Kuwait (2006–2011). Leather greeting card with gold lettering. Black box with gold trim. Black robe with golden embroidery. Pink robe with golden embroidery. Case of six small gold-plated silver coins issued by the Central Bank of Kuwait. Rec'd—5/14/2015. Est. Value—$3,550.00. Disposition—National Archives and Records Administration.	His Highness Sheikh Sabah Al-Ahmed Al-Jaber Al-Sabah, Amir of the State of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Six porcelain plates with hand-painted designs of birds, butterflies, and flowers, applied with polished 24-carat gold. Rec'd—5/14/2015. Est. Value—$6,900.00. Disposition—National Archives and Records Administration.	His Highness Sheikh Tamim bin Hamad Al Thani, Emir of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Personalized bicycle made of black metal with bell. Rec'd—5/31/2015. Est. Value—$975.00. Disposition—National Archives and Records Administration.	His Majesty King Willem-Alexander, King of the Netherlands.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Sterling silver flower dish. Rec'd—6/17/2015. Est. Value—$650.00. Disposition—National Archives and Records Administration.	His Excellency Matteo Renzi, President of the Council of Ministers of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mrs. Michelle Obama, First Lady of the United States.	18″ two-sided Suzshou embroidery depicting two giant pandas, a mother and her cub, in a circular wooden frame. Antique porcelain jewelry set including a pair of earrings, a ring, a bracelet, and a pendant. Rec'd—9/25/2015. Est. Value—$654.00. Disposition—National Archives and Records Administration.	His Excellency Xi Jinping, President of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Silver jewelry set of rubies and diamonds, including a necklace with teardrop pendant, a ring, two teardrop earrings, and a bracelet. Rec'd—9/30/2015. Est. Value—$73,200.00. Disposition—National Archives and Records Administration.	Her Majesty Raja Isteri Pengiran Anak Haja Saleha of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Red ox leather bag. Rec'd—10/6/2015. Est. Value—$600.10. Disposition—National Archives and Records Administration.	His Excellency Joachim Guack, President of the Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	45″ painting of a young African girl surrounded by musical instruments on Sierra Leone-shaped wood. Rec'd—10/22/2015. Est. Value—$780.00. Disposition—National Archives and Records Administration.	Mrs. Sia Koroma, First Lady of the Republic of Sierra Leone.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	6″ x 6″ x 3″ music box of light brown wood and a hinged top with a decorative brass plate. Jewelry set of silver and orange onyx including round earrings with a centered stone and a 16″ necklace of gemstone and silver beads. 88″ x 34″ silk scarf. Rec'd—10/26/2015. Est. Value—$521.41. Disposition—National Archives and Records Administration.	His Excellency Joko Widodo, President of the Republic of Indonesia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Polished music box of light and dark-colored indigenous wood. Rec'd—11/2/2015. Est. Value—$17,720.00. Disposition—National Archives and Records Administration.	Her Highness Sheikha Moza bint Nasser Al Missned of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	9″ gold-plated mechanical bird of a Common Chiffchaff that tweets, turns, and flaps its wings once per hour. Rec'd—11/2/2015. Est. Value—$110,000.00. Disposition—National Archives and Records Administration.	His Highness Sheikh Tamim bin Hamad Al Thani, Emir of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mrs. Michelle Obama, First Lady of the United States.	Book, title: *Menashe Kadishman.* 10″ x 10″ painting of a sheep's head in multicolor. Three music CDs. Three spiral notebooks with floral pattern. Necklace of velvet fabric with floral print combining laces, glass beads, hand-sewn ribbons and colorful chains. Medallion pendant in Victorian style with crystals. Necklace of fairy with tassel skirt. Rec'd—8/6/2014. Est. Value—$2,761.00. Disposition—National Archives and Records Administration.	Mrs. Sara Netanyahu, Spouse of the Prime Minister of the State of Israel.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	Necklace of hand-cut rubies and 22-carat gold clasp. Rec'd—11/20/2015. Est. Value—$740.00. Disposition—National Archives and Records Administration.	General Raheel Sharif, Chief of Army Staff of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Michelle Obama, First Lady of the United States.	4″ x 6.5″ silver and gold-tones metal purse with chain strap and gemstone above the latch. 44″ x 150″ section of dark blue fabric. 75.5″ x 20.5″ dark blue scarf with silver design and stars. Rec'd—11/21/2015. Est. Value—$620.00. Disposition—National Archives and Records Administration.	YABhg. Datin Paduka Seri Rosmah Mansor, Spouse of the Prime Minister of Malaysia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
First Family	Mini purse of red and pink leather with gold-tone chain strap. Purple floral print silk scarf. Rec'd—6/17/2015. Est. Value—$1,420.00. Disposition—National Archives and Records Administration.	His Excellency Matteo Renzi, President of the Council of Ministers of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
First Family	10″ bronze-colored medallion stamped with the symbol of the World Meeting of Families in 22″ x 19″ blue velvet matte and frame. Rec'd—9/22/2015. Est. Value—$425.00. Disposition—National Archives and Records Administration.	His Holiness Pope Francis	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Lisa Monaco.	5″ small round silver-plated bangle bowl. Rec'd—2/19/2015. Est. Value—$380.00. Disposition—Transferred to General Services Administration.	Mr. Bernard Cazeneuve, Minister of the Interior of the Republic of France.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Susan Rice.	24″ x 15″ silver-coated resin sculpture of camels and Bedouin on a green marble base. Rec'd—5/14/2015. Est. Value—$850.00. Disposition—Transferred to General Services Administration.	His Royal Highness Salman Bin Hamad Al Khalifa, Crown Prince of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Major Andrew Steadman.	Book, title: *Bavaria—Land at the Heart of Europe.* Gray backpack with G7 logo. Compact umbrella. White cup with G7 logo. 4.5″ white lion figurine. Rec'd—6/6/2015. Est. Value—$604.87. Disposition—Transferred to General Services Administration.	His Excellency Horst Seehofer, Minister-President of Bavaria.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
White House Staff Member Susan Rice.	Two bronze-colored coins engraved with the donor's name and image of the Great Wall of China. Book, title: *Let History Bear Witness to Our Friendship.* Silk scarf with purple floral print. 16″ commemorative plate with a picture of President Obama on a wooden stand. 16″ x 16″ framed floral print embroidery. Rec'd—6/12/2015. Est. Value—$880.00. Disposition—Transferred to General Services Administration.	General Fan Changlong, Vice Chairman of the Central Military Commission of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Susan Rice.	Travel jewelry organizer. Five-strand cranberry red ruby necklace. Replica of the National Martyrs Memorial. 10″ silver bowl. Rec'd—8/29/2015. Est. Value—$1,245. Disposition—Transferred to General Services Administration.	General Raheel Sharif, Chief of Army Staff of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Susan Rice.	13″ x 16″ silver and gold-plated sculpture of three gemsbok on rocky surface among palms on a lacquer base. Rec'd—9/4/2015. Est. Value—$31,500.00. Disposition—Transferred to General Services Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Denis McDonough.	14″ x 12″ silver and gold-plated sculpture of three figures of a Bedouin group and tent among palm trees set on polished green malachite. Rec'd—9/4/2015. Est. Value—$52,000.00. Disposition—Transferred to General Services Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Courtney Cooper.	6.5″ blue lapis lazuli bowl. Rec'd—9/12/2015. Est. Value—$425.00. Disposition—Transferred to General Services Administration.	His Excellency Mohammad Hanif Atmar, National Security Advisor of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Josh White.	Lapis lazuli desk organizer with business card holder, clock, and pen holder. Rec'd—9/15/2015. Est. Value—$425.00. Disposition—Transferred to General Services Administration.	His Excellency Nasir Ahmad Durrani, Minister of Rual Rehabilitation and Development of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
White House Staff Member Caitlin Spicer.	20″ x 52″ Handwoven rug with fringe, multicolored with diamond and triangle pattern. Rec'd—12/15/2015. Est. Value—$900.00. Disposition—Transferred to General Services Administration.	His Excellency Eng. Sami Halaseh, Minister of Public Works and Housing for the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—OFFICE OF THE VICE PRESIDENT

[Report of Tangible Gifts Furnished by the White House—Office of the Vice President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Blue lapis lazuli box with gold-colored trim. Rec'd—3/10/2014. Est. Value—$490.00. Disposition—National Archives and Records Administration.	His Excellency Miguel Juan Sebastián Piñera Echenique, President of the Republic of Chile.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Azerbaijani handwoven wool rug. Rec'd—12/17/2014. Est. Value—$450.00. Disposition—National Archives and Records Administration.	His Excellency Elin Suleymanov, Ambassador of the Republic of Azerbaijan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Silver recumbent horse on rectangular wood base in a presentation box. Rec'd—2/24/2015. Est. Value—$3,200.00. Disposition—National Archives and Records Administration.	His Highness Sheikh Tamim bin Hamad Al Thani, Emir of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Acrylic painting on canvas of five individuals wearing multicolored headwraps in religious processional. Rec'd—3/1/2015. Est. Value—$950.00. Disposition—National Archives and Records Administration.	His Excellency Otto Pérez Molina, President of the Republic of Guatemala.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Lapis lazuli footed bowl. Rec'd—4/13/2015. Est. Value—$485.00. Disposition—National Archives and Records Administration.	His Excellency Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Small filigree silver pot with lid in a red leatherette presentation box. Rec'd—5/5/2015. Est. Value—$525.00. Disposition—National Archives and Records Administration.	His Excellency Beji Caid Essebsi, President of the Republic of Tunisia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Prologue Arabian horse head in bronze with black ruthenium finish, a gold-plated mane, sterling silver bridle and reins, gold-plated tassels, and cabochon blue sapphire on a rotating red crocodile leather base with hand-chased sterling silver arabesque elements with gold-plated buckles. Rec'd—5/13/2015. Est. Value—$48,500.00. Disposition—National Archives and Records Administration.	His Royal Highness Prince Mohammed bin Naif bin Abdulaziz Al Saud, Crown Prince, Deputy Prime Minister and Minister of Interior of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Framed oil painting by Tsegmed Tserennadmid depicting a desert settlement and camels with a personalized plaque. Rec'd—6/25/2015. Est. Value—$750.00. Disposition—National Archives and Records Administration.	His Excellency Mr. Chimed Saikhanbileg, Prime Minister of Mongolia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Nigerian leather floor mat with tan and golden floral and geometric pattern. Three matching round cushions. Rec'd—7/20/2015. Est. Value—$1,000.00. Disposition—National Archives and Records Administration.	His Excellency Muhammadu Buhari, President of the Federal Republic of Nigeria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Thomas Mercer clock in presentation box. Rec'd—9/4/2015. Est. Value—$160,070.00. Disposition—National Archives and Records Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—OFFICE OF THE VICE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Office of the Vice President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Nine 12″ pieces of cotton cloth by Vlisco. Twenty-nine cotton table linen sets in assorted colors with various machine-embroidered designs in a multicolored striped bag. Painting. Lamp. Two case of champagne. Rec'd—9/9/2015. Est. Value—$7,451.00. Disposition—National Archives and Records Administration. Champagne handled pursuant to United States Secret Service policy.	His Excellency Boni Yayi, President of the Republic of Benin.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Porcelain vase with yellow details and floral design. Book, title: *Zhuangzi I.* Book, title: *Zhuangzi II.* Rec'd—9/25/2015. Est. Value—$570.00. Disposition—National Archives and Records Administration.	His Excellency Xi Jinping, President of the People's Republic of China, and Madame Peng Liyuan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	Blue lapis lazuli bowl. Rec'd—9/29/2015. Est. Value—$440.00. Disposition—National Archives and Records Administration.	His Excellency Dr. Abdullah Abdullah, Chief Executive of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	830-grade silver urn. Rec'd—9/29/2015. Est. Value—$440.00. Disposition—National Archives and Records Administration.	His Excellency Nicos Anastasiades, President of the Republic of Cyprus.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph R. Biden, Jr., Vice President of the United States.	96″ x 124″ low-pile silk Pakistani rug. Rec'd—10/21/2015. Est. Value—$8,260.00. Disposition—On display for official use.	His Excellency Muhammad Nawaz Sharif, Prime Minister of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Jill Biden, Second Lady of the United States.	Milla Guirst pearl necklace. Rec'd—3/2/2015. Est. Value—$680.00. Disposition—National Archives and Records Administration.	Mrs. Ana García de Hernández, First Lady of the Republic of Honduras.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Jill Biden, Second Lady of the United States.	Black and gold robe. Royal blue and gold dress. Silver coin commemorating the 20th Anniversary of the Liberation of Kuwait. Set of six silver Kuwait 2011 coins in presentation box. Black leatherette presentation box with gilt line designs, a Kuwaiti emblem and a leather presentation envelope. Rec'd—5/14/2015. Est. Value—$2,760.00. Disposition—National Archives and Records Administration.	His Highness Sheikh Sabah Al-Ahmed Al-Jaber Al-Sabah, Amir of the State of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Jill Biden, Second Lady of the United States.	Large sculpture of silver gilt date palm trees encircling gold-plated sand surrounding cystal water in a presentation box. Rec'd—9/4/2015. Est. Value—$18,000.00. Disposition—National Archives and Records Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE

[Report of Tangible Gifts and Travel Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Colin Powell, Secretary of State of the United States.	15.5″ blue porcelain mantel clock on a wooden base. Rec'd—5/31/2003. Est. Value—$395.00. Disposition—Pending transfer to General Services Administration.	His Excellency Igor Ivanov, Minister of Foreign Affairs of the Russian Federation.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Rodham Clinton, Secretary of State of the United States.	Framed watercolor painting, title: *"Celestial Water Carrying No Boundary—World Continents Sharing One Origin in The Chinese Pavilition"* by Angelique Shidi. Rec'd—5/23/2010. Est. Value—$350.00. Disposition—Retained for official display at Consulate Shanghai.	Mr. Yu Zhengsheng, Chairman of the National Committee of the Chinese People's Political Consultative Conference.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	49″ x 71″ silk red, pink, blue, and gray rug. Rec'd—10/22/2013. Est. Value—$5,600.00. Disposition—Pending transfer to General Services Administration.	His Excellency Muhammad Nawaz Sharif, Prime Minister of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Book, title: *Mahmoud Farshchian*. Rec'd—1/16/2015. Est. Value—$400.00. Disposition—Retained for official display.	His Excellency Mohammad Javad Zarif, Minister of Foreign Affairs of the Islamic Republic of Iran.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Reproduction of a 17th century muzzle-loaded gun. Small replica statue of the Guard of Honor Martyrs Monument. Rec'd—1/13/2015. Est. Value—$490.00. Disposition—Gun retained for official display. Statue pending transfer to General Services Administration.	General Raheel Sharif, Chief of Army Staff of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Walnut wood tray with removable carved boxes ornamented with colored mother-of-pearl inlay and two wood coasters. Photo of the royal family. Rec'd—1/29/2015. Est. Value—$462.00. Disposition—Pending transfer to General Services Administration.	Their Majesties King Abdullah II ibn Al Hussein and Queen Rania Al Abdullah, King and Queen of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Elephant with baby elephant on a wooden presentation base with plaque. Rec'd—2/18/2015. Est. Value—$470.00. Disposition—Pending transfer to General Services Administration.	The Honorable Major (Rtd) Joseph Nkaissery, MGH, Cabinet Secretary of the Interior of the Republic of Kenya.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	11.25″ blue lapis lazuli bowl with mosaic pattern. Rec'd—3/24/2015. Est. Value—$1,100.00. Disposition—Pending transfer to General Services Administration.	His Excellency Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Fine wool light ivory hand-crafted traditional Moroccan robe. Brass box with a replica of an intricately designed door. Rec'd—4/9/2015. Est. Value—$550.00. Disposition—Pending transfer to General Services Administration.	His Excellency Salaheddine Mezouar, Minister of Foreign Affairs and Cooperation of the Kingdom of Morocco.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	8″ small lapis bowl. Rec'd—4/13/2015. Est. Value—$600.00. Disposition—Pending transfer to General Services Administration.	His Excellency Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable John Kerry, Secretary of State of the United States.	Framed leather artwork by Zeinelkhan Mukhamedzhan depicting a traditional Kazakh house and a young bride. Rec'd—4/16/2015. Est. Value—$440.00. Disposition—Pending transfer to General Services Administration.	His Excellency Karim Masimov, Prime Minister of the Republic of Kazakhstan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Glass coffee pot with gold, black, and turquoise accents inspired by the design on a jeweled belt from the 18th century at the Topkapi Palace Museum. Rec'd—4/21/2015. Est. Value—$840.00. Disposition—Pending transfer to General Services Administration.	His Excellency Mevlüt Cavuşoğlu, Minister of Foreign Affairs of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Framed painting depicting Kenya's ''big five'' animals at a drinking hole. Rec'd—5/5/2015. Est. Value—$550.00. Disposition—Pending transfer to General Services Administration.	Her Excellency Amina Mohamed, Cabinet Secretary for Foreign Affairs and International Trade of the Republic of Kenya.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Sterling silver bowl with applied roses. Silver 100-year commemorative coin. Rec'd—5/12/2015. Est. Value—$400.00. Disposition—Pending transfer to General Services Administration.	His Excellency Mevlüt Cavuşoğlu, Minister of Foreign Affairs of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Gold and silver-plated horse on top of a green malachite base housing a brass clock. Rec'd—5/14/2015. Est. Value—$45,000.00. Disposition—Pending transfer to General Services Administration.	His Royal Highness Prince Mohammed bin Naif bin Abdulaziz Al Saud, Crown Prince, Deputy Prime Minister, and Minister of Interior of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	William and Son London red leather clock with roman numerals and metallic trim detail. Rec'd—5/14/2015. Est. Value—$810.00. Disposition—Pending transfer to General Services Administration.	His Royal Highness Prince Salman bin Hamad Al-Khalifa, Crown Prince of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Set of ten reproduction silk screen wall hanging paintings. Rec'd—5/17/2015. Est. Value—$420.00. Disposition—Pending transfer to General Services Administration.	His Excellency Wang Yi, Minister of Foreign Affairs of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Tall silver vase containing white calla lilies, white stargazer lilies, pink peonies, green hydrangeas, white gladiolus, orange baby orchids, and white gerber daisies. Rec'd—6/3/2015. Est. Value—$500.00. Disposition—Perishable items are handled persuant to guidelines set forth by General Services Administration.	His Majesty Qaboos bin Said Al Said, Sultan of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable John Kerry, Secretary of State of the United States.	Large floral arrangment containing multicolored peonies. Assortment of Godiva chocolates. Rec'd—6/5/2015. Est. Value—$2,176.00. Disposition—Perishable items are handled persuant to guidelines set forth by General Services Administration.	His Majesty Mohammed VI, King of Morocco.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Ceramic hourglass vase with gold metallic detail and inlaid stones depicting birds and flowers. Rec'd—6/24/2015. Est. Value—$740.00. Disposition—Pending transfer to General Services Administration.	Her Excellency Liu Yandong, Vice Premier of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Traditional gold, pink, and green floral and geometric patterned sitting rug with three matching sitting cushions. Rec'd—7/20/2015. Est. Value—$1,000.00. Disposition—Pending transfer to General Services Administration.	His Excellency Muhammadu Buhari, President of the Federal Republic of Nigeria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Large beaded portrait of Secretary Kerry. Rec'd—8/6/2015. Est. Value—$2,650.00. Disposition—Pending transfer to General Services Administration.	His Excellency Pham Binh Minh, Deputy Prime Minister and Minister of Foreign Affairs of the Socialist Republic of Vietnam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Box of Montecristo Cuban cigars with matches, cutter, and humidor. Rec'd—8/14/2015. Est. Value—$450.00. Disposition—Retained by the U.S. Diplomacy Center for official display.	His Excellency Bruno Rodríguez Parrilla, Minister of Foreign Affairs of the Republic of Cuba.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Large gold-plated citadel flanked by date palm trees. Rec'd—9/4/2015. Est. Value—$22,000.00. Disposition—Pending transfer to General Services Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	16″ x 11″ replica of an astrolabe created by Diya'al Din Muhammad in 1647. Rec'd—9/9/2015. Est. Value—$400.00. Disposition—Pending transfer to General Services Administration.	His Excellency Adel al-Jubeir, Minister of Foreign Affairs of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Small carved wooden elephant. Two cases of Champagne. Large bag of ten traditional tablecloths. Ten small traditional cloths. Rec'd—9/9/2015. Est. Value—$6,045.00. Disposition—Pending transfer to General Services Administration. Perishable items handled pursuant to General Services Administration policy.	His Excellency Boni Yayi, President of the Republic of Benin.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Assorted beef including Wagyu burgers, sirlon steaks, and ribeye steaks. Two terrine de foie gras. Rec'd—9/15/2015. Est. Value—$420.00. Disposition—Perishable items handled pursuant to Department of Agriculture policy.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable John Kerry, Secretary of State of the United States.	Large framed embroidery depicting two adult swans and four cygnets. Rec'd—9/25/2015. Est. Value—$950.00. Disposition—Pending transfer to General Services Administration.	His Excellency Xi Jinping, President of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Blue lapis lazuli jewelry box with inscription. Rec'd—10/7/2015. Est. Value—$400.00. Disposition—Pending transfer to General Services Administration.	The Honorable Heraldo Muñoz, Minister of Foreign Affairs of the Republic of Chile.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Book, title: *Jose Manuel Garcia-Margallo—Todos Los Cielos Conducen a Espana,* signed by the Minister. Spanish guitar. Rec'd—10/18/2015. Est. Value—$3,827.00. Disposition—Pending transfer to General Services Administration.	His Excellency Jose Manuel Garcia-Margallo, Minister of Foreign Affairs and Cooperation of Spain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	9′ x 6′ beige Pakistani rug with a centered medallion filled with floral design. Rec'd—10/22/2015. Est. Value—$13,500.00. Disposition—Pending transfer to General Services Administration.	His Excellency Muhammad Nawaz Sharif, Prime Minister of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Hand-painted black lacquer table. Gold-plated tea set. Rec'd—11/1/2015. Est. Value—$2,050.00. Disposition—Pending transfer to General Services Administration.	His Excellency Islam Karimov, President of the Republic of Uzbekistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Hand-carved wooden table and chair set. Two hand-carved wooden bookstands. Silk scarf. Two framed photos. Rec'd—11/1/2015. Est. Value—$1,265.00. Disposition—Pending transfer to General Services Administration.	His Excellency Abdulaziz Kamilov, Minister of Foreign Affairs of the Republic of Uzbekistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Limited-edition "Golden Man" pen by Visconti. Various bottles of local alcohol. Rec'd—11/2/2015. Est. Value—$3,252.00. Disposition—Pending transfer to General Services Administration. Perishable items handled pursuant to General Services Administration policy.	His Excellency Erlan Idrissov, Minister of Foreign Affairs of the Republic of Kazakhstan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	50″ x 77″ hand-made carpet. Statue of the head of a bull. Rec'd—11/3/2015. Est. Value—$780.00. Disposition—Pending transfer to General Services Administration.	His Excellency Gurbanguly Berdimuhamedov, President of Turkmenistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	64″ x 100″ wool pile maroon and beige rug. Silver-tone repoussé tin clock with floral design. Rec'd—11/18/2015. Est. Value—$995.00. Disposition—Pending transfer to General Services Administration.	General Raheel Sharif, Chief of Army Staff of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable John Kerry, Secretary of State of the United States.	Personalized honorary storage cubby at Cricova Winery. Rec'd—12/4/2015. Est. Value—$545.10. Disposition—Pending transfer to General Services Administration.	Mr. Iurie Carp, Director of Cricova Winery of the Republic of Moldova.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Two volume book set, title: *Portolanos—Hellenic Yachting Pilot*. Rec'd—12/4/2015. Est. Value—$408. Disposition—Retained for official display.	His Excellency Nikos Kotzias, Minister of Foreign Affairs of the Hellenic Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Secretary of State of the United States.	Three bottles of wine. Various perishable items. D.L. & Co. Nightshade candle. GG Collection antique copper large serving tray. Rec'd—12/11/2015. Est. Value—$645.00. Disposition—Pending transfer to General Services Administration. Perishable items handled pursuant to the guidelines set forth by General Services Administration.	His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin, Sultan and Yang Di-Pertuan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Teresa Heinz Kerry, Spouse of the Secretary of State of the United States.	Five strand emerald necklace. Rec'd—1/13/2015. Est. Value—$800.00. Disposition—Pending transfer to General Services Administration.	Begum Fariha Raheel, Spouse of the Chief of Army Staff of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Richard Boucher, Consul General.	Small silver-plated dolphin statue on base. Rec'd—1997. Est. Value—$500.00. Disposition—Pending transfer to General Services Administration.	Foreign Government Official	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable William Taylor, Director of the Iraq Reconstrution Management Office.	Chrome Soviet pistol in wooden display case. Rec'd—8/1/2004. Est. Value—$900.00. Disposition—Pending transfer to General Services Administration.	His Excellency Petro Poroshenko, Secretary of the National Security and Defense Council of Ukraine.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Clifford M. Sloan, Special Envoy.	Two bottles of Amouage perfume in a wooden presentation box. Rec'd—6/25/2014. Est. Value—$585.00. Disposition—Pending transfer to General Services Administration.	Dr. Salem Nasser Al-Ismaily, Chairman of the Oman Center for Investment Protection and Export Development.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Dana Shell Smith, Ambassador of the United States to the State of Qatar.	Golden Dhow, a traditional Qatari ship. Rec'd—12/14/2014. Est. Value—$500.00. Disposition—Retained at Embassy Doha for official display.	His Excellency Dr. Ali bin Fetais al-Marri, Attorney General of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Stacie Hankins, Consular Chief.	Metal bust sculpture of recipient. Rec'd—2/1/2015. Est. Value—$500.00. Disposition—Pending transfer to General Services Administration.	Mr. Dickson Osa Omoregie, Consultant for the Office of the Special Adviser to the President on Ethics and Values of the Federal Republic of Nigeria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Randy Bumgardner, Assistant Chief of Protocol and General Manager for Blair House.	Meissen porcelain tray with blue and white floral pattern. Rec'd—2/9/2015. Est. Value—$385.00. Disposition—Retained for official display.	Her Excellency Dr. Angela Merkel, Chancellor of the Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Antony Blinken, Deputy Secretary of State of the United States.	Framed hand-embroidered silk scene depicting a boat, huts, and a dock. Gold-tone presentation plaque. Rec'd—3/18/2015. Est. Value—$480.00. Disposition—Pending transfer to General Services Administration.	General Quang Tran Dai, Minister of Public Security of the Socialist Republic of Vietnam.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. Tony Franco, Protocol Officer	Tanelli perfume gift set. Rec'd—3/18/2015. Est. Value—$910.00. Disposition—Pending transfer to General Services Administration.	Embassy of the State of Qatar	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Antony Blinken, Deputy Secretary of State of the United States.	Green Ettinger of London leather frame containing a signed photo of the Prince of Wales and the Duchess of Cornwall. Rec'd—3/19/2015. Est. Value—$1,500.00. Disposition—Retained for official display.	Their Royal Highnesses The Prince of Wales and The Duchess of Cornwall of the United Kingdom of Great Britain and Northern Ireland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Randy Bumgardner, Assistant Chief of Protocol and General Manager for Blair House.	Lapis lazuli vase with floral stone inlay. Rec'd—3/30/2015. Est. Value—$385.00. Disposition—Retained for official display.	His Excellency Dr. Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Robert Waller, Consul General	1-ounce gold commemorative coin. Rec'd—5/6/2015. Est. Value—$1,100.00. Disposition—Pending transfer to General Services Administration.	His Excellency Obaid Al-Tayer, Minister of State for Financial Affairs of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Antony Blinken, Deputy Secretary of State of the United States.	Laminated coconut wood and mother-of-pearl watch box. Rec'd—5/12/2015. Est. Value—$450.00. Disposition—Pending transfer to General Services Administration.	His Excellency Albert F. del Rosario, Secretary of Foreign Affairs of the Republic of the Philippines.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Caitlin McGarry, Protocol Officer.	Tag Heuer stainless steel ladies' watch with a black dial. Rec'd—5/27/2015. Est. Value—$2,050.00. Disposition—Purchased by recipient from General Services Administration.	His Royal Highness Salman Bin Hamad Al Khalifa, Crown Prince of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ambassador Peter Selfridge, Chief of Protocol.	Framed signed photo of the King and Queen. Large blue floral porcelain bowl. Rec'd—6/1/2015. Est. Value—$685.00. Disposition—Framed photo retained for official display. Bowl pending transfer to General Services Administration.	Their Majesties King Willem-Alexander and Queen Maxima, King and Queen of the Netherlands.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Stuart Jones, Ambassador of the United States to the Republic of Iraq.	Montblanc Starwalker pen. Rec'd—6/1/2015. Est. Value—$465.00. Disposition—Pending transfer to General Services Administration.	His Excellency Dr. Saleem Al-Jabouri, Speaker of the Council of Representatives of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Antony Blinken, Deputy Secretary of State of the United States.	Montblanc Meisterstück platinum line classique rollerball pen. Rec'd—6/10/2015. Est. Value—$490.00. Disposition—Pending transfer to General Services Administration.	His Excellency Dr. Saleem Al-Jabouri, Speaker of the Council of Representatives of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Greta C. Holtz, Ambassador of the United States to the Sultanate of Oman.	Amouage Journey perfume gift set in wooden box. Amouage Epic perfume gift set in wooden box. Rec'd—6/10/2015. Est. Value—$1,020.00. Disposition—Pending transfer to General Services Administration.	Mr. Mattar al-Obaidani, Air Vice Marshal of the Royal Air Force of the Sultanate of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Robert Helm, Regional Security Officer.	Longines men's conquest black dial watch. Rec'd—6/16/2015. Est. Value—$628.00. Disposition—Pending transfer to General Services Administration.	His Excellency Sheikh Rashid Al Khalifa, Minister of Interior of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Antony Blinken, Deputy Secretary of State of the United States.	Two bottles of Amouage perfume. Amouage Journey perfume set in a wooden box. Rec'd—6/19/2015. Est. Value—$1,040.00. Disposition—Pending transfer to General Services Administration.	Lieutenant General Sayyid Munthir Majid Said Al Said, Head of the Omani Royal Office Liaison and Coordination Service.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Joseph Pennington, Consul General.	Tissot Swiss Wristwatch. Rec'd—7/21/2015. Est. Value—$1,250.00. Disposition—Pending transfer to General Services Administration.	The Honorable Hady Mawlud, Governor of the Erbil Province.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ambassador Daniel Feldman, Special Representative for Afghanistan and Pakistan.	59″ x 88″ Afghan rug. Rec'd—7/28/2015. Est. Value—$600.00. Disposition—Pending purchase from General Services Administration.	His Excellency Dr. Abdullah Abdullah, Chief Executive of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ambassador Daniel Feldman, Special Representative for Afghanistan and Pakistan.	59″ x 88″ Afghan rug. Rec'd—7/29/2015. Est. Value—$400.00. Disposition—Pending purchase from General Services Administration.	His Excellency Mohammad Hanif Atmar, National Security Advisor of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Debra K. Jones, Ambassador of the United States to the State of Libya.	Rado ladies' gold watch. Rec'd—8/3/2015. Est. Value—$1,900.00. Disposition—Pending transfer to General Services Administration.	Mr. Nouri Bousahmein, President of the Tripoli-Based General National Congress of Libya.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Richard Olson, Ambassador of the United States to the Islamic State of Pakistan.	Emerald necklace. Rec'd—8/4/2015. Est. Value—$3,600.00. Disposition—Pending transfer to General Services Administration.	General Raheel Sharif, Chief of Army Staff of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Richard Olson, Ambassador of the United States to the Islamic State of Pakistan.	Tiffany & Co. sterling silver pen and pencil set with engraving. Rec'd—8/4/2015. Est. Value—$400.00. Disposition—Pending transfer to General Services Administration.	Government of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Richard Olson, Ambassador of the United States to the Islamic State of Pakistan.	Diamond cufflinks. Rec'd—8/26/2015. Est. Value—$7,200.00. Disposition—Pending transfer to General Services Administration.	His Excellency Muhammad Ishaq Dar, Federal Minister of Finance and Narcotics Control of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ambassador Peter Selfridge, Chief of Protocol.	Two palm trees and two camels with a clock on an onyx base. Rec'd—9/4/2015. Est. Value—$20,000.00. Disposition—Pending transfer to General Services Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Penny Price, Senior Protocol Officer.	Rolex Oyster ladies' silver and gold watch. Rec'd—9/4/2015. Est. Value—$9,700.00. Disposition—Pending transfer to General Services Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Rosemarie Rauer, Protocol Officer.	Rolex Oyster ladies' gold and silver watch. Rec'd—9/4/2015. Est. Value—$9,700.00. Disposition—Pending transfer to General Services Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Jared Smith, Special Event Support Staff.	Rolex men's silver watch. Rec'd—9/4/2015. Est. Value—$7,150.00. Disposition—Pending transfer to General Services Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. Neil Brodger, Department of State Employee.	Silver-plated falcon on stand. Rec'd—9/4/2015. Est. Value—$4,500.00. Disposition—Pending transfer to General Services Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Linda Thomas-Greenfield, Assistant Secretary of State of the United States.	Hand-painted tea set. Case of Champagne. Large bag of ten traditional tablecloths. Ten small traditional cloths. Rec'd—9/9/2015. Est. Value—$4,715.00. Disposition—Pending transfer to General Services Administration. Perishable items handled pursuant to General Services Administration policy.	His Excellency Boni Yayi, President of the Republic of Benin.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Micheline Tusenius, Wife of the Honorable Craig Allen, Ambassdor of the United States to Brunei Darussalam.	Diamond and ruby earring and ring set. Rec'd—9/18/2015. Est. Value—$4,600.00. Disposition—Pending transfer to General Services Administration.	Her Majesty Raja Isteri Pengiran Anak Haijah Saleha of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ann Richard, Assistant Secretary of State of the United States.	Three strand pink, grey, and white pearl necklace. Rec'd—9/22/2015. Est. Value—$1,200.00. Disposition—Pending transfer to General Services Administration.	Her Excellency Shahidul Haque, Foreign Secretary of Bangladesh.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Antony Blinken, Deputy Secretary of State of the United States.	Gold platter with blue, black, red, and green floral design. Rec'd—9/27/2015. Est. Value—$680.00. Disposition—Pending transfer to General Services Administration.	His Excellency Abdulaziz Kamilov, Minister of Foreign Affairs of the Republic of Uzbekistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Wendy Sherman, Under Secretary of State of the United States.	Framed rug depicting a gold vase with multicolored flowers. Rec'd—9/28/2015. Est. Value—$1,100.00. Disposition—Purchased by the recipient from General Services Administration.	Mr. Hossein Fereydoun, Special Assistant to the President of the Islamic Republic of Iran.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Wendy Sherman, Under Secretary of State of the United States.	Large beige rug with pastel flowers. Rec'd—9/28/2015. Est. Value—$1,150.00. Disposition—Purchased by the recipient from General Services Administration.	Dr. Seyeed Abbas Araghchi, Deputy Foreign Minister for Legal and International Affairs of the Islamic Republic of Iran.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Wendy Sherman, Under Secretary of State of the United States.	Three strand grey and pink pearl necklace and earring set. Rec'd—9/28/2015. Est. Value—$2,140.00. Disposition—Pending transfer to General Services Administration.	Her Excellency Shahidul Haque, Foreign Secretary of Bangladesh.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Bathsheba Crocker, Assistant Secretary of State of the United States.	Fresh water pearl necklace and earring set. Rec'd—10/6/2015. Est. Value—$980.00. Disposition—Pending transfer to General Services Administration.	Her Excellency Shahidul Haque, Foreign Secretary of Bangladesh.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Micheline Tusenius, Wife of the Honorable Craig Allen, Ambassdor of the United States to Brunei Darussalam.	Diamond bracelet with pink and yellow stones. Rec'd—10/9/2015. Est. Value—$2,300.00. Disposition—Pending transfer to General Services Administration.	Her Majesty Raja Isteri Pengiran Anak Haijah Saleha of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Antony Blinken, Deputy Secretary of State of the United States.	9.25″ lapis lazuli bowl. Rec'd—10/16/2015. Est. Value—$385.00. Disposition—Pending transfer to General Services Administration.	His Excellency Hekmat Khalil Karzai, Deputy Minister of Foreign Affairs of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. Greg Kausner, Deputy Assistant Secretary of State of the United States.	Silver tray with inscription. Haddad serving set with chicken motif. Rec'd—10/30/2015. Est. Value—$680.00. Disposition—Pending transfer to General Services Administration.	General Jean Kahwagi, Commander of the Lebanese Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Deborah Malac, Ambassador of the United States to the Republic of Uganda.	Gold-plated star-shaped medallion with a red and blue sash and a matching lapel pin. Large certificate for the Order of the Star of Africa. Rec'd—12/8/2015. Est. Value—$680.00. Disposition—Retained for official display.	Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Tracey Jacobson, Principal Deputy Assistant Secretary of State of the United States.	Commemorative bag. Collection of Turkmen Neutrality Day stamps. Book, titled *Neutral Turkmenistan,* Ahal Teke horse statue. Commemorative pen. Red Turkmen carpet. Commemorative watch. Commemorative coin. Rec'd—12/12/2015. Est. Value—$1,753.00. Disposition—Pending transfer to General Services Administration.	Government of Turkmenistan	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Antony Blinken, Deputy Secretary of State of the United States.	Painting, title: *Nail Sultan*. Rec'd—12/15/2015. Est. Value—$385.00. Disposition—Pending transfer to General Services Administration.	His Excellency Elin Suleymanov, Ambassador of the Republic of Azerbaijan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Employee of the Department of State.	79″ x 55″ hand-woven blue-gray wool area rug with eight petal rossettes and five borders. Rec'd—Unknown. Est. Value—$600.00. Disposition—Retained for official display.	Foreign Government Official	Non-acceptance would cause embarrassment to donor and U.S. Government.
Employee of the Department of State.	61″ x 96″ beige area rug with floral detailing and a light blue and red border. Rec'd—Unknown. Est. Value—$5,200.00. Disposition—Retained for official display.	Foreign Government Official	Non-acceptance would cause embarrassment to donor and U.S. Government.
Employee of the Department of State.	Set of three Macau Patacas gold coins depicting an ox. Set of three Macau Patacas gold coins depicting a dragon. Rec'd—Unknown. Est. Value—$2,695.00. Disposition—Pending transfer to General Services Administration.	Foreign Government Official	Non-acceptance would cause embarrassment to donor and U.S. Government.
Employee of the Department of State.	Framed painting of a horse in carriage in front of the ruins of a citadel. Rec'd—Unknown. Est. Value—$400.00. Disposition—Pending transfer to General Services Administration.	Foreign Government Official	Non-acceptance would cause embarrassment to donor and U.S. Government.
Employee of the Department of State.	Five book set, title: *Viking Age Classics—The Complete Sagas of Icelanders*. Rec'd—Unknown. Est. Value—$500.00. Disposition—Pending transfer to General Services Administration.	Government of the Republic of Iceland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Adrienne Harehit	TRAVEL: Two tickets to the Viennese Opera Ball. Rec'd—2/11/2015. Est. Value—$2,000.00.	Dr. Georg Heindl, Consul General of Austria to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Deborah Jones, Ambassador of the United States to the State of Libya.	TRAVEL: Transportation, food, and lodging. Rec'd—2/14/2014. Est. Value—$567.00.	Government of the Kingdom of Morocco.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF STATE—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. John Kelley, Economics Counselor.	TRAVEL: Rountrip flight from Kinshasa to Lubumbashi of the Democratic Republic of the Congo. Rec'd—12/30/2015. Est. Value—$400.00.	The Honorable Moise Katumbi, Governor of Katanga Province, Democratic Republic of the Congo.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

[Report of Tangible Gift and Travel Furnished by the Administrative Office of the United States Courts]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Chief Justice John Roberts, United States Supreme Court.	Jewelry box. Rec'd—7/10/2015. Est. Value—$674.49. Disposition—Retained for official display.	The Honorable Chief Justice Itsuro Terada, Supreme Court of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable J. Clifford Wallace, Senior Judge, Chief Judge Emeritus, U.S. Court of Appeals for the Ninth Circuit.	TRAVEL: Expenses for visit to train judges on case management. Rec'd—1/17–23/2015. Est. Value—$10,103.03.	Supreme Court of Appeals of the Republic of South Africa.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable J. Clifford Wallace, Senior Judge, Chief Judge Emeritus, U.S. Court of Appeals for the Ninth Circuit.	TRAVEL: Expenses for visit to lecture at Supreme Court of Mexico's Bicentennial Celebration of the Mexican Constitution. Rec'd—1/30–2/6/2015. Est. Value—$4,852.33.	Supreme Court of Justice of Mexico.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Valerie A. Sorensen, Law Clerk to the Honorable Timothy C. Stanceu, Chief Judge, U.S. Court of International Trade.	TRAVEL: Round-trip airfare, hotel, and ground transportation to Geneva, Switzerland. Rec'd—1/28–31/2015. Est. Value—$2,491.36.	World Trade Organization	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Bruce McGiverin, U.S. Magistrate Judge, District of Puerto Rico.	TRAVEL: English-language teaching assistant stipend for 23-year-old son. Rec'd—January–May 2015. Est. Value—$5,491.02.	Ministry of Education of the French Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Chief Judge Sharon Prost, U.S. Court of Appeals for the Federal Circuit.	TRAVEL: Travel, hotel, meal expenses to participate in the 10th Anniversary Commemorative Symposium of the Intellectual Property High Court of Japan. Rec'd—April 2015. Est. Value—$13,982.00.	Patent Office of Japan	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable J. Clifford Wallace, Senior Judge, Chief Judge Emeritus, U.S. Court of Appeals of the Ninth Circuit.	TRAVEL: Lodging during visit to train judges on case management and mediation. Rec'd—6/21–29/2015. Est. Value—$1,000.00.	Court of Appeals of the Republic of Uganda.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ruth Bader Ginsburg, Associate Justice, U.S. Supreme Court.	TRAVEL: Round trip airfare to participate in program hosted by Supreme Court of Korea and U.S. Embassy in Seoul. Rec'd—August 2015. Est. Value—$7,222.00.	Supreme Court of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Bruce McGiverin, U.S. Magistrate Judge, District of Puerto Rico.	TRAVEL: English-language teaching assistant stipend for 23-year old son. Rec'd—October–December 2015. Est. Value—$2,622.80.	Ministry of Education of the French Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable J. Clifford Wallace, Senior Judge, Chief Judge Emeritus, U.S. Court of Appeals for the Ninth Circuit.	TRAVEL: Expenses for visit to train judges on case management and mediation. Rec'd—11/10–18/2015. Est. Value—$6,300.12.	Supreme Court of the Kingdom of Thailand.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS—Continued

[Report of Tangible Gift and Travel Furnished by the Administrative Office of the United States Courts]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. Christopher Herrington, Husband of Ms. Megan Scanion, Staff Attorney, U.S. Court of Appeals of the Fourth Circuit.	TRAVEL: Partial expenses for attendance and participation at economics conference in Montevideo, Uruguay. Rec'd—December 2015. Est. Value—$430.00.	The Research Institute for Development, Growth, and Economics, Oriental Republic of Uruguay.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: CENTRAL INTELLIGENCE AGENCY

[Report of Tangible Gifts Furnished by the Central Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Cast-metal door knockers. Rec'd—9/30/2014. Est. Value—$700.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Gold palm tree statue with a camel. Rec'd—11/21/2014. Est. Value—$5,000.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Silk rug. Rec'd—1/30/2015. Est. Value—$7,500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Diamond pendant. Rec'd—2/8/2015. Est. Value—$2,500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Stainless steel watch. Rec'd—2/8/2015. Est. Value—$3,500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Silver mounted wood scabbard. Rec'd—2/11/2015. Est. Value—$2,000.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Ceramic coffee set. Rec'd—2/19/2015. Est. Value—$500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Boxed gift set including cufflinks, a watch, a pen, and beads. Rec'd—2/20/2015. Est. Value—$5,000.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Silver tray. Rec'd—2/23/2015. Est. Value—$700.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Portrait of Director John Brennan. Rec'd—3/31/2015. Est. Value—$1,500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: CENTRAL INTELLIGENCE AGENCY—Continued

[Report of Tangible Gifts Furnished by the Central Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Portrait of Director John Brennan. Rec'd—4/19/2015. Est. Value—$1,500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Metal model of mosque entrance. Rec'd—6/1/2015. Est. Value—$700.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Painting of religious icon. Rec'd—6/4/2015. Est. Value—$500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Silver plate. Rec'd—6/30/2015. Est. Value—$500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Black leather briefcase. Cotton rug. Rec'd—7/23/2015. Est. Value—$500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Box of cigars. Rec'd—8/30/2015. Est. Value—$1,500.00. Disposition—Perishable items handled pursuant to the guidelines set forth by General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Painting, titled: *Our Future Faces*. Rec'd—9/14/2015. Est. Value—$500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Chopard desk clock. Rec'd—10/3/2015. Est. Value—$750.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Gold and silver palm tree. Rec'd—10/4/2015. Est. Value—$5,000.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Silver circular box. Silver covered box. Rec'd—10/23/2015. Est. Value—$1,300.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Brass figurines. Rec'd—11/3/2015. Est. Value—$500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Large porcelain plate in case. Rec'd—12/15/2015. Est. Value—$5,000.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John O. Brennan, Director of the Central Intelligence Agency.	Large silver sculpture of a falcon in case. Rec'd—12/15/2015. Est. Value—$5,000.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: CENTRAL INTELLIGENCE AGENCY—Continued

[Report of Tangible Gifts Furnished by the Central Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable David S. Cohen, Deputy Director of the Central Intelligence Agency.	Boxed gift set including cufflinks, a watch, a pen, and beads. Rec'd—2/20/2015. Est. Value—$5,000.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David S. Cohen, Deputy Director of the Central Intelligence Agency.	Boga silver cufflinks. Rec'd—2/23/2015. Est. Value—$475.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David S. Cohen, Deputy Director of the Central Intelligence Agency.	Gold and white cased glass decanter. Rec'd—5/2015. Est. Value—$1,500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David S. Cohen, Deputy Director of the Central Intelligence Agency.	Metal fishing boat on glass stand. Rec'd—5/21/2015. Est. Value—$1,500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David S. Cohen, Deputy Director of the Central Intelligence Agency.	Four bone china cups and saucers. Rec'd—5/27/2015. Est. Value—$500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David S. Cohen, Deputy Director of the Central Intelligence Agency.	Painting of angel in leather case, One-fifth bottle of liquor. Rec'd—6/10/2015. Est. Value—$750.00. Disposition—Pending transfer to General Services Administration. Perishable item handled pursuant to the guidelines set forth by General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David S. Cohen, Deputy Director of the Central Intelligence Agency.	Large silver bowl in green box. Rec'd—7/27/2015. Est. Value—$2,000.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David S. Cohen, Deputy Director of the Central Intelligence Agency.	Silver dagger with belt in case. Rec'd—7/29/2015. Est. Value—$2,000.00. Disposition—Retained for official display.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David S. Cohen, Deputy Director of the Central Intelligence Agency.	Magnifying glass and letter opener. Gold-plated coin sculpture. Rec'd—10/9/2015. Est. Value—$650.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David S. Cohen, Deputy Director of the Central Intelligence Agency.	Two bronze medallions in leather case. Three silver coins in leather case. Rec'd—10/12/2015. Est. Value—$450.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David S. Cohen, Deputy Director of the Central Intelligence Agency.	Antique revolver in leather case. Rec'd—11/14/2015. Est. Value—$500.00. Disposition—Pending purchase from General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David S. Cohen, Deputy Director of the Central Intelligence Agency.	Molded glass replica of ancient landmark. Rec'd—12/16/2015. Est. Value—$500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: CENTRAL INTELLIGENCE AGENCY—Continued

[Report of Tangible Gifts Furnished by the Central Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
An Agency Employee	Bulgari stainless steel watch. Rec'd—7/2010. Est. Value—$1,500.00. Disposition—Pending purchase by recipient from General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	9.75 carat tanzanite stone. Rec'd—6/2012. Est. Value—$5,800.00. Disposition—Pending purchase by recipient from General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Franco Fontana gold necklace with pendant. Rec'd—10/12/2014. Est. Value—$700.00. Disposition—Pending purchase by recipient from General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Longines men's Conquest watch. Rec'd—12/14/2014. Est. Value—$3,000.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Golf clubs. Wool carpet. Rec'd—5/19/2015. Est. Value—$1,358.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Rolex gold and stainless steel watch. Rec'd—5/26/2015. Est. Value—$7,500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Black leather handbag. Rec'd—5/27/2015. Est. Value—$500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Saint Honore ladies' wrist watch. Rec'd—6/8/2015. Est. Value—$760.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Rado stainless steel watch. Rec'd—6/11/2015. Est. Value—$1,200.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Men's stainless steel watch and ladies' stainless steel watch. Rec'd—6/20/2015. Est. Value—$2,300.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Stainless steel watch. Rec'd—6/24/2015. Est. Value—$3,500.00. Disposition—Retained for official display.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Tissot men's stainless steel watch. Rec'd—7/13/2015. Est. Value—$695.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Small silver bowl in green box. Rec'd—7/27/2015. Est. Value—$700.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: CENTRAL INTELLIGENCE AGENCY—Continued

[Report of Tangible Gifts Furnished by the Central Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
An Agency Employee	Small silver bowl in green box. Rec'd—7/27/2015. Est. Value—$700.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Sterling silver plate with seal. Rec'd—7/27/2015. Est. Value—$700.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Metal and glass chariot statue. Rec'd—7/28/2015. Est. Value—$500.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Tissot men's quartz watch. Rec'd—8/25/2015. Est. Value—$575.00. Disposition—Pending purchase by recipient from General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Swiss Certina stainless steel watch. Rec'd—8/25/2015. Est. Value—$800.00. Disposition—Pending transfer to General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEFENSE INTELLIGENCE AGENCY

[Report of Tangible Gifts Furnished by the Defense Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Lieutenant General Vincent R. Stewart, USMC, Director of the Defense Intelligence Agency.	Wood box containing Ginseng tea and spoon set. Rec'd—7/29/2015. Est. Value—$385.00. Disposition—Perishable items handled pursuant to the guidelines set forth by the General Services Administration. Box retained for official display in Command Element Spaces.	Lieutenant General Cho Bo Gun, Director of the Defense Intelligence Agency of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Alex Sweidel, Intelligence Analyst.	Murex gift set containing a men's watch, ladies' watch, two pens, cufflinks, and a keychain inside a decorative wooden box. Rec'd—8/23/2015. Est. Value—$1,500.00. Disposition—Pending transfer to General Services Administration.	Major General Hamad bin Ali al-Attiyah, Minister of State for Defense Affairs of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Bruce M. MacKay, Faculty, National Intelligence University.	TRAVEL: Lodging in Manila Rec'd—7/17/2015. Est. Value—$686.00.	Major General Arnold M. Quiapo, Head of the Intelligence Service of the Armed Forces of the Republic of the Philippines.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Bruce M. MacKay, Faculty, National Intelligence University.	TRAVEL: Overnight lodging in Seoul. Rec'd—10/17/2015. Est. Value—$3,318.84.	Head of the Defense Intelligence Agency of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Bruce M. MacKay, Faculty, National Intelligence University.	TRAVEL: Airfare to and from Seoul, overnight lodging, and meal allowance. Rec'd—10/24/2015. Est. Value—$3,318.84.	Head of the Defense Intelligence Agency of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Bruce M. MacKay, Faculty, National Intelligence University.	TRAVEL: Airfare to and from Seoul, overnight lodging, and meal allowance. Rec'd—10/24/2015 Est. Value—$3,318.84.	Head of the Defense Intelligence Agency of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEFENSE INTELLIGENCE AGENCY—Continued

[Report of Tangible Gifts Furnished by the Defense Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. Bruce M. MacKay, Faculty, National Intelligence University.	TRAVEL: Airfare to and from Stockholm. Rec'd—10/28/2015. Est. Value—$1,979.95.	Major General Gunnar Karlson, Director of the Swedish Military Intelligence and Security Service.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Bruce M. MacKay, Faculty, National Intelligence University.	TRAVEL: Lodging in Stockholm. Rec'd—11/14/2015. Est. Value—$2,210.00.	Major General Gunnar Karlson, Director of the Swedish Military Intelligence and Security Service.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF DEFENSE

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Chuck Hagel, Secretary of Defense of the United States.	Set of four fragrances from the Abdul Samadal Qurashi collection with six sprayers in a white glossy travel case. Rec'd—11/21/2014. Est. Value—$1,450.00. Disposition—Pending transfer to General Services Administration.	His Royal Highness Prince Mutaib bin Abdullah bin Abdulaziz Al Saud, Minister of the National Guard of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Chuck Hagel, Secretary of Defense of the United States.	Agarwood perfume and cologne in two cut-crystal with silver overlay bottles by Oudh Oil. Three silver-plated oryxes on a marble base. Incense burner with chips of kalakas in faux black reptile skin case. Orange and purple silk robe. Gold and purple wool robe with red silk lining. Rec'd—12/1/2014. Est. Value—$5,420.00. Disposition—Pending transfer to General Services Administration.	His Royal Highness Prince Mutaib bin Abdullah bin Abdulaziz Al Saud, Minister of the National Guard of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Chuck Hagel, Secretary of Defense of the United States.	77″ x 117″ hand-woven wool pile rug. Rec'd—12/6/2014. Est. Value—$3,880.00. Disposition—Pending transfer to General Services Administration.	His Excellency Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Chuck Hagel, Secretary of Defense of the United States.	Pair of oval cufflinks of reconstituted Baltic amber. Four 5″ x 7″ acrylic on canvas paintings by R. Gbiorczyk. Rec'd—2/5/2015. Est. Value—$565.00. Disposition—Purchased by the recipient from General Services Administration.	His Excellency Tomasz Siemoniak, Minister of National Defense of the Republic of Poland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ashton Carter, Secretary of Defense of the United States.	80″ x 113″ Afghan woven wool pile rug displaying burgundy octagons alternating with green octagons on a tan field. Rec'd—2/21/2015. Est. Value—$3,200.00. Disposition—Pending transfer to General Services Administration.	His Excellency Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF DEFENSE—Continued

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Ashton Carter, Secretary of Defense of the United States.	Gold-plated ''Dhow'' boat model with two lateen sails, pendant anchor, on a rectangular base with brass cutout map of Kuwait. Rec'd—2/22/2015. Est. Value—$585.00. Disposition—Pending transfer to General Services Administration.	His Excellency Sheikh Khaled Al-Jarrah Al-Sabah, Deputy Prime Minister and Minister of Defense of the State of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ashton Carter, Secretary of Defense of the United States.	Hand-painted hand fan. Exhibition Catalog, titled: *Ha Chul-kyung Solo Exhibition 2014.* Rice paper painting with black branches and brown and green foliate by Chul-kyung. Rec'd—4/10/2015. Est. Value—$380.00. Disposition—Pending transfer to General Services Administration.	His Excellency Han Min-koo, Minister of Defense of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ashton Carter, Secretary of Defense of the United States.	Two silver-tone Demilune members spaced apart on left. Silver-tone sailing ship with three masts and unfurled sails affixed to amber. Rec'd—5/19/2015. Est. Value—$420.00. Disposition—Pending transfer to General Services Administration.	His Excellency Tomasz Siemoniak, Minister of Natinal Defense of the Republic of Poland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ashton Carter, Secretary of Defense of the United States.	William & Son arched quadrate desk clock clad in red leather with silver-tone trefoil band around bottom. Rec'd—6/30/2015. Est. Value—$810.00. Disposition—Pending transfer to General Services Administration.	His Excellency Salman bin Hamad Al Khalifa, Crown Prince of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ashton Carter, Secretary of Defense of the United States.	Polished steel saber by WKC of Germany with gilt brass handguard and burgundy leather handgrip. Rec'd—8/4/2015. Est. Value—$680.00. Disposition—Pending transfer to General Services Administration.	His Excellency General Mashal al-Zaben, Advisor to His Majesty the King for Military Affairs and Chairman of the Joint Chiefs of Staff of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ashton Carter, Secretary of Defense of the United States.	Model rifle with flintlock in brown stone inlaid with brass, mother-of-pearl and applied brass scrollwork. Silver-tone bowl with four gold-plated date palms mounted on plinth blocks with three gold-tone falcons. Rec'd—9/29/2015. Est. Value—$12,900.00. Disposition—Pending transfer to General Services Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff of the United States.	Purple robe with yellow, pink, blue, and copper accents. Gown made of red fabric. Presentation box with decorative outer layer pierce cut to simulate traditional ''Abu Tair'' fabric. Rec'd—11/20/2014. Est. Value—$620.00. Disposition—Pending transfer to General Services Administration.	His Royal Highness Prince Mutaib bin Abdullah bin Abdulaziz Al Saud, Minister of the National Guard of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF DEFENSE—Continued

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff of the United States.	Shield shaped plaque with row of five pointed stars over anchor and a flying bird. Shadowbox with a triple mast sailing ship in sterling silver filigree. Rec'd—12/16/2014. Est. Value—$415.00. Disposition—Retained for official display at the National Defense University.	His Excellency General Moeldoko, Commander in Chief of the National Defense Forces of the Republic of Indonesia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff of the United States.	Statue depicting a falcon perched on a gloved hand, cast resin clad in sterling silver with 24-carat yellow gold on beak, talons, and glove edge. Rec'd—1/7/2015. Est. Value—$1,700.00. Disposition—Retained for official display at the National Defense University.	His Excellency Adel al-Jubeir, Ambassador of the Kingdom of Saudi Arabia to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff of the United States.	Delta pen with engraved box. Rec'd—1/19/2015. Est. Value—$416.00. Disposition—Retained for official display at the National Defense University.	His Excellency Luigi Binelli Mantelli, Chief of Defense of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff of the United States.	Purple and blue mottled, molded, and carved glass ram with spiral curved horns by Tittot. Shield shaped plaque with five petal prunus blossoms over anchor and wings. Rec'd—3/2/2015. Est. Value—$445.00. Disposition—Retained for official display at the National Defense University.	General Yen The-fa, Chief of the General Staff of Taiwan Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff of the United States.	Curved steel saber with intaglio Bahraini shield emblem, curved bracket handle, silver stars, and silver-tone end cap. Rec'd—3/9/2015. Est. Value—$457.00. Disposition—Retained for official display at the National Defense University.	His Excellency Field Marshal Khalifa bin Ahmed Al Khalifa, Commander in Chief of the Defense Force of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff of the United States.	Chess set with veneered wood two section board and wood playing pieces. Shield plaque with a green, white, and turquoise roundel emblem. Brass medallion with map outline of Brazil. Rec'd—4/2/2015. Est. Value—$525.00. Disposition—Retained for official display at the National Defense University.	His Excellency José Carlos De Nardi, Chief of the Joint Staff of the Armed Forces of the Federative Republic of Brazil.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff of the United States.	Rectangular brass box overlaid with lapis lazuli panels and standing figure carved in alcove of bedrock. Rec'd—7/20/2015. Est. Value—$440.00. Disposition—Retained for official display at the National Defense University.	His Excellency Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF DEFENSE—Continued

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff of the United States.	Knife made by Kaaret Kaspar Sare of Estonia whose blade was forged from a bolt formerly securing track of a Soviet tank. Handwritten document in black calligraphy with silver-tone decoration on gray paper explaining composition of knife. Rec'd—9/15/2015. Est. Value—$1,180.00. Disposition—Retained for official display at the National Defense University.	Lieutenant General Riho Terras, Commander of the Defense Forces of the Republic of Estonia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Deanie Dempsey, Spouse of the Chairman of the Joint Chiefs of Staff.	Hudson Bay Company white wool blanket with wide green, red, yellow, and dark blue stripes and six narrow black lines along one side. Rec'd—6/14/2015. Est. Value—$450.00. Disposition—Retained for official display at the National Defense University.	General Lawson, Chief of Defense Staff of Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Joseph Dunford, Chairman of the Joint Chiefs of Staff of the United States.	74″ x 46″ hand-woven wool rug with twenty-eight squares repeating same design in different colors of birds. Rec'd—11/10/2015. Est. Value—$580.00. Disposition—Pending transfer to General Services Administration.	His Excellency Masoud Barzani, President of the Iraqi Kurdistan Region.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Joseph Dunford, Chairman of the Joint Chiefs of Staff of the United States.	Model A–319 weapon marked 9 x 19mm PARA (PK–9) with black plastic handle panels. Long five strand necklace of graduated hand-faceted rubies. Rec'd—11/12/2015. Est. Value—$1,020.00. Disposition—Pending transfer to General Services Administration.	General Raheel Sharif, Chief of Army Staff of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael Vickers, Under Secretary of Defense for Intelligence of the United States.	Gild censer with round cup set inside topped with four knobs at the corner, four ovoid medallions over four posts. Rec'd—9/27/2014. Est. Value—$440.00. Disposition—Retained for official display in the Under Secretary's office.	General Youssef bin Ali Al-Idrisi, General Intelligence President of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael Vickers, Under Secretary of Defense for Intelligence of the United States.	Cast brass vessel with flaring top over four rams' heads with curved horns. Rec'd—9/27/2014. Est. Value—$500.00. Disposition—Retained for official display in the Under Secretary's office.	His Excellency Sun Jianguo, Admiral of the People's Liberation Army Navy of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David Shear, Assistant Secretary of Defense for Asian & Pacific Affairs of the United States.	Hand-painted round wood plate with carved foliate scrollwork surrounding centered ivory-color rounded with four blue carnations. Rec'd—10/31/2014. Est. Value—$715.00. Disposition—Pending transfer to General Services Administration.	His Excellency Bakhtiyar Gulyamov, Ambassador of the Republic of Uzbekistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF DEFENSE—Continued

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Michael Vickers, Under Secretary of Defense for Intelligence of the United States.	Statue depicting falcon perched on gloved hand, cast resin clad in sterling silver with 24-carat yellow gold on beak, talons, and glove. Rec'd—12/4/2014. Est. Value—$1,700.00. Disposition—Retained for official display in the Under Secretary's office.	His Excellency Adel al-Jubeir, Ambassador of the Kingdom of Saudi Arabia to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael Vickers, Under Secretary of Defense for Intelligence of the United States.	Korean rectangular document box with removable bombe lid and wall and sides covered in intricate mother-of-pearl marquetry. Rec'd—12/5/2014. Est. Value—$680.00. Disposition—Retained for official display in the Under Secretary's office.	General Jung Seung Jo, Chairman of the Joint Chiefs of Staff of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Robert Work, Deputy Secretary of Defense of the United States.	Blue and purple standing ram with curved horns by Tittot. Rec'd—12/16/2014. Est. Value—$385.00. Disposition—Retained for official display in the Deputy Secretary's office.	General Moeldoko, Commander in Chief of the National Defense Forces of the Republic of Indonesia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Matthew Spence, Deputy Assistant Secretary of Defense for Middle East of the United States.	Gucci gray wool scarf with a light blue medial stripe flanked by dark gray stripes. Rec'd—1/8/2015. Est. Value—$445.00. Disposition—Pending transfer to General Services Administration.	His Excellency Jaham Al Kuwari, Ambassador of the State of Qatar to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Stephen Preston, General Counsel of the Department of Defense of the United States.	76″ x 47″ hand-made silk rug depicting a Persian Qum-style hunt scene. Rec'd—1/13/2015. Est. Value—$2,200.00. Disposition—Pending transfer to General Services Administration.	His Excellency Dr. Ali bin Fetais al-Marri, Attorney General of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David Shear, Assistant Secretary of Defense for Asian & Pacific Affairs of the United States.	Clock mounted in left-hand panel of two black lacquered panels with gold-tone image of rocks, raked sand, bird, prunus blossoms, and woven fence. Rec'd—1/13/2015. Est. Value—$380.00. Disposition—Pending transfer to General Services Administration.	His Excellency Uto Takashi, Parliamentary Vice-Minister of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael Vickers, Under Secretary of Defense for Intelligence of the United States.	Rectangular brass box overlaid with lapis lazuli panels. Rec'd—2/19/2015. Est. Value—$450.00. Disposition—Purchased by recipient from General Services Administration.	His Excellency Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael Vickers, Under Secretary of Defense for Intelligence of the United States.	Shadowbox picture frame with gilt phoenix and four-toed dragon flanking pearls of happiness. Gold-tone emblem with four stars. Rec'd—3/18/2015. Est. Value—$475.00. Disposition—Pending transfer to General Services Administration.	His Excellency Tran Dai Quang, Minister of Public Security of the Socialist Republic of Vietnam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Paul Lewis, Special Envoy for Guantanamo Detention Closure of the United States.	Two Amouage "Fate" fragrances. Rec'd—3/20/2015. Est. Value—$575.00. Disposition—Pending transfer to General Services Administration.	Dr. Salem Nasser Al-Ismaily, Chairman of the Oman Center for Investment Protection and Export Development.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF DEFENSE—Continued

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable David Shear, Assistant Secretary of Defense for Asian & Pacific Affairs of the United States.	Minh Long Pottery porcelain vase with gilt rim over short-waisted neck displaying hand-painted water lilies in blue. Rec'd—3/23/2015. Est. Value—$390.00. Disposition—Pending transfer to General Services Administration.	Senior Lieutenant General Nguyen Chi Vinh, Vietnam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Oliver Palmer, Deputy Assistant Secretary of Defense for East Asia of the United States.	Amber molded glass dome paperweight topped by curved fish rising above sea waves by Tittot. Rec'd—4/3/2015. Est. Value—$415.00. Disposition—Pending transfer to General Services Administration.	General Kao Huachu, Secretary General of Taiwan National Security Council.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael Vickers, Under Secretary of Defense for Intelligence of the United States.	SA–KA pointer weapon, SA–KA Silah Sanayi Magnum 12–76 TS 870 3″ x 37″ long. Rec'd—4/13/2015. Est. Value—$480.00. Disposition—Pending transfer to Fort Lee for official display.	His Excellency Major General Mahmoud al-Subaihi, Defense Minister of the Republic of Yemen.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Frank Kendall, Under Secretary of Defense, Acquistion, Technology, and Logistics of the United States.	Hemispherical bowl with round disk foot, clad in lapis lazuli panels. Rec'd—5/4/2015. Est. Value—$385.00. Disposition—Purchased by recipient from General Services Administration.	His Excellency Enayatullah Nazari, Acting Minister of Defense of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rebecca Chavez, Deputy Assistant Secretary of Defense for Western Hemisphere of the United States.	Arch-shaped handbag by Maria's with brown leatherette curved handles and paneled in multicolored woven wool sections of geometric form. Rec'd—5/13/2015. Est. Value—$580.00. Disposition—Pending transfer to General Services Administration.	His Excellency Manuel Ambrosio, Minister of Defense of the Republic of Guatemala.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honoable Roberty Work, Deputy Secretary of Defense of the United States.	One men's and one ladies' wool sweater by Dale of Norway with partially zippered collar. Rec'd—9/8/2015. Est. Value—$735.00. Disposition—Pending transfer to General Services Administration.	Mr. Øystein Bø, State Secretary, Royal Norwegian Ministry of Defense.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David Shear, Assistant Secretary of Defense for Asian & Pacific Affairs of the United States.	Set of five silver-tone round medallions, obverse marked ''Australian War Memorial ANZACS, Their Spirit Our Pride 2014''. Rec'd—9/18/2015. Est. Value—$450.00. Disposition—Pending transfer to General Services Administration.	Mr. Scott Dewar, First Assistant Secretary, International Policy Division of the Australian Department of Defense.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jeffrey Price, Department of Defense Executive Liaison Agent, Defense Intelligence Agency of the United States.	Shinola watch 41mm Runwell Chronograph with dark brown alligator strap. Rec'd—10/23/2015. Est. Value—$1,000.00. Disposition—Pending transfer to General Services Administration.	Major General Hamad bin Ali al-Attiyah, Minister of State for Defense Affairs of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE AIR FORCE

[Report of Tangible Gifts Furnished by the Department of the Air Force]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Deborah James, Secretary of the Air Force of the United States.	Gold-colored cartouche necklace and a cartouche keychain. Rec'd—11/15/2015. Est. Value—$395.00. Disposition—Pending transfer to General Services Administration.	Air Marshal Yoness El Masry, Commander of the Egyptian Air Force.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Mark Welsh, Chief of Staff of the United States Air Force.	Black Salvadore Ferragamo purse. Men's Memphis Belle watch. Rec'd—12/18/2014. Est. Value—$1,000.00. Disposition—Transferred to General Services Administration.	Lieutenant General Pasquale Presziosa, Chief of the Air Force of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Heidi Grant, SAF/IA	Ladies' gold-colored bracelet. Rec'd—1/19/2015. Est. Value—$600.00. Disposition—Transferred to General Services Administration.	Mr. Faisal Alkamash of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Darren Hartford, United States Air Force.	Men's JBR watch. Rec'd—6/14/2015. Est. Value—$1,200.00. Disposition—Transferred to General Services Administration.	Major General Mohammed Nasser Mubarak Al-Mohannadi, Commander of the Qatar Emiri Naval Force.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General John Hesterman III, USAFCENT Commander.	S.T. suitcase. S.T. men's watch. S.T. fountain pen. S.T. Dupont cufflinks. Rec'd—6/24/2015. Est. Value—$2,872.00. Disposition—Pending transfer to General Services Administration.	Major General Mubarak Mohammed Al-Khayarin, Commander of the Qatar Emiri Air Force.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. John Polhemus, Joint Base Andrews Protocol.	Rolex Oyster men's datejust watch. Rec'd—7/22/2015. Est. Value—$9,000.00. Disposition—Transferred to General Services Administration.	Embassy of the Kingdom of Saudi Arabia in the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Heidi Grant, SAF/IA	16GB iPad mini 2. Two memory sticks. Blue presentation box. Rec'd—8/12/2015. Est. Value—$400.00. Disposition—Transferred to General Services Administration.	Mr. Al Sahalan of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Charles Q. Brown, USAFCENT Commander.	Gold-colored cartouche necklace and cartouche key chain and silver pendant with EAF symbol. Rec'd—8/31/2015. Est. Value—$570.00. Disposition—Pending transfer to General Services Administration.	Air Marshal Youness Alsayed Hamad Almasry of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. John Polhemus, Joint Base Andrews Protocol.	Men's Bvgari Bb42ss watch. Rec'd—9/4/2015. Est. Value—$4,500.00. Disposition—Transferred to General Services Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Zachary Sobeck, Joint Base Andrews Protocol.	Rolex Oyster men's datejust watch. Rec'd—9/4/2015. Est. Value—$9,000.00. Disposition—Transferred to General Services Administration.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Captain Jessica L. Lemke, USAFCENT Officer.	Men's KHS Tactical watch, Men's Cruiser C7147 watch. Rec'd—9/9/2015. Est. Value—$510.00. Disposition—Pending transfer to General Services Administration.	Colonel Abdul Rhami of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Zachary Sobeck, Joint Base Andrews Protocol.	Shinola Detroit Argonite 5021 men's watch. Rec'd—10/23/2015. Est. Value—$950.00. Disposition—Transferred to General Services Administration.	Mr. Ziad Soubra of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE AIR FORCE—Continued

[Report of Tangible Gifts Furnished by the Department of the Air Force]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. John Polhemus, Joint Base Andrews Protocol.	Shinola Detroit Argonite 5021 men's watch. Rec'd—10/23/2015. Est. Value—$950.00. Disposition—Transferred to General Services Administration.	Mr. Ziad Soubra of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Mark Welsh, Chief of Staff of the United States Air Force.	Leather bomber jacket. Rec'd—12/1/2015. Est. Value—$420.00. Disposition—Pending transfer to General Services Administration.	Major General Mansour al Jabour, Commander of the Royal Jordanian Air Force.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Heidi Grant, SAF/IA	Salman perfume. Miss Aura perfume. Black leather Equss wallet. Versace cologne. Burberry body lotion. 16GB iPad Mini. Cultural display on gold-colored metal in black velvet box. Rec'd—Unknown. Est. Value—$1,064.00. Disposition—Transferred to General Services Administration.	Major General Mohammed Al-Ghanim, Commander of the Qatar Emiri Land Force.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Joseph Messer, Liaison Officer	16GB iPhone 5S cell phone. Rec'd—Unknown. Est. Value—$500.00. Disposition—Transferred to General Services Administration.	Mr. Khamis Alamazrouei of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Gary North, USAFCENT Commander.	Aqua Master men's watch. Rec'd—Unknown. Est. Value—$4,300.00. Disposition—Transferred to General Services Administration.	Major General Hamad bin Ali al-Attiyah, Minister of State for Defense Affairs of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General John Hesterman III, USAFCENT Commander.	Black Dior Miss Collection purse. Rec'd—Unknown. Est. Value—$3,100.00. Disposition—Transferred to General Services Administration.	Major General Hamad bin Ali al-Attiyah, Minister of State for Defense Affairs of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General John Hesterman III, USAFCENT Commander.	Multicolored Dior Miss Collection purse. Rec'd—Unknown. Est. Value—$3,500.00. Disposition—Transferred to General Services Administration.	Major General Hamad bin Ali al-Attiyah, Minister of State for Defense Affairs of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Mark Welsh, Chief of Staff of the United States Air Force.	His & Hers Longines watch set. Rec'd—Unknown. Est. Value—$1,800.00. Disposition—Pending transfer to General Services Administration.	Major General Hamad bin Ali al-Attiyah, Minister of State for Defense Affairs of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE ARMY

[Report of Tangible Gifts Furnished by the Department of the Army]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
United States Army Soldier	22-carat gold commemorative coin for the 40th anniversary of the National Day of the State of Kuwait. Rec'd—2001. Est. Value—$1,700.00. Disposition—Pending transfer to General Services Administration.	Foreign Government Official	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE ARMY—Continued

[Report of Tangible Gifts Furnished by the Department of the Army]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Major General Paul LaCamera, Commander of the 4th Infantry Division and Fort Carson.	22-carat yellow gold tiara with gemstone weighing 43.6 grams. Rec'd—1/22/2015. Est. Value—$9,658.00. Disposition—Retained for official display at Fort Carson Headquarters Museum.	Mr. Ahmed Malgari, Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major General Kurt Fuller, Deputy Commanding General of U.S. Forces Operations in Afghanistan.	56′ x 79′ hand-made wool rug with ''cat's foot'' pattern on a red background. Rec'd—4/6/2015. Est. Value—$500.00. Disposition—Purchased by the recipient from General Services Administration.	Major General Abdul Raziq Sherzai, Air Wing Commander of the Kandahar Air Wing of the Afghan Air Force of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Colonel David S. Doyle, Deputy Commander, Train Advise Assist Command—South, Combined Joint Task Force—72nd Brigade, 10th Mountain Division (Light Infantry).	72′ x 108′ hand-woven rug. Rec'd—10/29/2015. Est. Value—$1,404.00. Disposition—Pending purchase by the recipient from General Services Administration.	Brigadier General Haji Gulalai, Garrison Commander of Camp Hero of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE NAVY

[Report of Tangible Gifts Furnished by the Department of the Navy]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Admiral Jonathan Grennert, Chief of Naval Operations.	Multicolored print scarf. Rec'd—10/21/2011. Est. Value—$340.00. Disposition—Pending transfer to General Services Administration.	Admiral Bruno Branciforte, Chief of the Navy of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant Commander Michael Melocowsky, Fleet Judge Advocate, Commander of the U.S. Naval Forces Central Command.	JBR watch. JBR wallet. JBR pen. Set of JBR cufflinks. Rec'd—11/29/2011. Est. Value—$1,200.00. Disposition—Pending transfer to General Services Administration.	Major General Hamad bin Ali al-Attiyah, Minister of State for Defense Affairs of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Grennert, Chief of Naval Operations.	Vostok Europe watch. Rec'd—1/22/2013. Est. Value—$679.00. Disposition—Pending transfer to General Services Administration.	Admiral Kosmas Christidis, Chief of Navy General Staff of the Hellenic Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General James N. Mattis, Commander of the United States Central Command.	Wall décor rug. Men's cashmere scarf. Men's cashmere hat. Fur trim shawl. Montegrappa Espressione fountain pen and ballpoint pen. Rec'd—2/2/2013. Est. Value—$1,245.00. Disposition—Pending transfer to General Services Administration.	Sheikh Sami Abdul-Amir al-Jamaili, Chairman of the City Council of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Grennert, Chief of Naval Operations.	LIOR sterling silver gold field necklace. Rec'd—11/24/2013. Est. Value—$400.00. Disposition—Pending transfer to General Services Administration.	Vice Admiral Ram Rothberg, Cammander in Chief of the Israeli Navy, Israel Defense Force, and Mrs. Michal Rothberg.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Grennert, Chief of Navy Operations.	Beaded snakeskin purse. Engraved wooden watch box. Rec'd—2/13/2014. Est. Value—$450.28. Disposition—Pending transfer to General Services Administration.	Vice Admiral Jose Luis M. Alano, Flag Officer in Commander, Philippine Navy, and Spouse.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE NAVY—Continued

[Report of Tangible Gifts Furnished by the Department of the Navy]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Admiral Jonathan Grennert, Chief of Navy Operations.	Command medallion. Le Sac handbag. Bayanihan painting. Welcome banner. Rec'd—2/14/2014. Est. Value—$540.00. Disposition—Pending transfer to General Services Administration.	Rear Admiral Jamie Bernadino, Vice Commander of the Philippine Navy.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Grennert, Chief of Navy Operations.	37″ x 60″ rug. Rec'd—5/13/2014. Est. Value—$2,000.00. Disposition—Pending transfer to General Services Administration.	Admiral Asif Sandila, Chief of Naval Staff of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Grennert, Chief of Navy Operations.	Honma golf putter. Rec'd—5/26/2014. Est. Value—$506.32. Disposition—Pending transfer to General Services Administration.	Admiral Katsutoshi Kawano, Chief of Staff of the Maritime Self Defense Force, Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Grennert, Chief of Navy Operations.	TANE necklace. Book, title: *Olmec—Colossal Masterworks of Ancient Mexico.* Rec'd—6/25/2014. Est. Value—$756.17. Disposition—Pending transfer to General Services Administration.	Admiral Vidal Francisco Soberón Sanz, Admiral of the Navy of Mexico.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Grennert, Chief of Naval Operations.	Fountain pen. Book. Plaque. Framed picture. Rec'd—7/21/2014. Est. Value—$400.31. Disposition—Pending transfer to General Services Administration.	Admiral Giuseppe De Giorgi, Chief of the Navy of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rear Admiral Fernandez L. Ponds, Former Commander of the Expeditionary Strike Group Three.	Waterford crystal decanter. Rec'd—7/25/2014. Est. Value—$625.00. Disposition—Pending transfer to General Services Administration.	Major General Kenrick Majaraj, Chief of Defense of Trinidad and Tobago.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Grennert, Chief of Navy Operations.	Ship model with stand. Rec'd—9/16/2014. Est. Value—$440.00. Disposition—Pending transfer to General Services Administration.	Vice Admiral Usman O. Jibrin, Chief of Naval Staff of the Federal Republic of Nigeria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Grennert, Chief of Navy Operations.	Sextant. Rec'd—11/24/2014. Est. Value—$417.00. Disposition—Pending transfer to General Services Administration.	Rear Admiral Alexandru Mirşu, Commander of Naval Operations of Romania.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Grennert, Chief of Navy Operations.	Light brown alpaca wool shawl. Pair of silver-plated brass spurs. Rec'd—1/12/2015. Est. Value—$393.99. Disposition—Pending transfer to General Services Administration.	Admiral Enrique Larrañaga, Commander in Chief of the Navy of the Republic of Chile.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Jonathan Grennert, Chief of Navy Operations.	Sterling silver rectangular photo frame with curved sides. Rec'd—1/15/2015. Est. Value—$550.00. Disposition—Pending transfer to General Services Administration.	Admiral Edmundo Deville, Commander of the Navy of the Republic of Peru and Mrs. Deville.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Captain Shoshana Catfield, Senior Military Assistant of the Supreme Allied Command Europe.	Tissot ladies' watch, serial number T055.217.11.033.00. Rec'd—3/9/2015. Est. Value—$550.00. Disposition—Pending transfer to General Services Administration.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant Commander Benjamin Martin, Deputy Executive Assistant of the Supreme Allied Command Europe.	Tissot T-touch (men's quartz black dial watch with black rubber strap. Rec'd—3/9/2015. Est. Value—$850.00. Disposition—Pending transfer to General Services Administration.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE NAVY—Continued

[Report of Tangible Gifts Furnished by the Department of the Navy]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Commander Michael Rak, Commanding Officer of the USS MILIUS DDG 60.	Plaque overlaid with .01″ gold inscribed with picture of the AH–64 helicopter above major landmarks in the United Arab Emirates. Rec'd—5/11/2015. Est. Value—$4,000.00. Disposition—Pending transfer to General Services Administration.	Major Rashad Al Zahmi, Joint Aviation Command of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Scott H. Swift, Commander of the U.S. Pacific Fleet.	Maruto Hasegawa Kosakujo professional hair dressing scissors. Rec'd—6/19/2015. Est. Value—$630.00. Disposition—Pending transfer to General Services Administration.	His Excellency Toyoei Shigeeda, Consul General of Japan in Honolulu.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES CENTRAL COMMAND

[Report of Tangible Gifts Furnished by the United States Central Command]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Brigadier General Gregory Touhill, Chief, OMC-Kuwait.	Nain rug. Rec'd—4/5/2011. Est. Value—$1,083.00. Disposition—OMC-Kuwait.	Lieutenant General Khaled Al-Jarrah, Deputy Chief of Staff of the Kuwait Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Captain Matthew Stevens, Joint Special Operations Task Force—GCC Commander.	William & Son travelling alarm clock. Rec'd—12/18/2012. Est. Value—$554.00. Disposition—Special Operations Central Command.	His Royal Highness Salman Bin Hamad Al Khalifa, Crown Prince of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major General Kenneth Tovo, Commander of Special Operations Central Command.	William & Son palladium desk clock. Rec'd—12/18/2012. Est. Value—$2,328.58. Disposition—Special Operations Central Command HQ.	His Royal Highness Salman Bin Hamad Al Khalifa, Crown Prince of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General James Mattis, Commander of U.S. Central Command.	Clothing. Pens. Rec'd—2/2/2013. Est. Value—$1,645.00. Disposition—Transferred to General Services Administration.	Sheikh Sami Abdul-Amir al-Jamaili, Chairman of the City Council of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Lloyd Austin III, Commander of U.S. Central Command.	Silk tie. Parfum spray. Cologne for men. Watch. Two leather wallets. Rec'd—4/30/2013. Est. Value—$12,489.21. Disposition—Transferred to General Services Administration.	Major General Hamad bin Ali Al-Attiyah, Chief of Staff of the Air Force of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Lloyd Austin III, Commander of U.S. Central Command.	Wooden humidor. Cohiba cigars. Rec'd—5/1/2013. Est. Value—$1,582.50. Disposition—Transferred to General Services Administration.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Lloyd Austin III, Commander of U.S. Central Command.	Gold-plated Browning 3030-cal-2 no-4 rifle. Rec'd—6/5/2013. Est. Value—$1,200.00. Disposition—Retained for official display at CENTCOM HQ.	Lieutenant General Shaikh Ahmad Al-Khalid Al-Hamad Al-Sabah, Minister of Defense of the State of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Lloyd Austin III, Commander of U.S. Central Command.	Suitcase. Colognes. Perfumes. Watches. Pens. Pair of cufflinks. Rec'd—8/26/2013. Est. Value—$1,285.54. Disposition—Transferred to General Services Administration.	Major General Ghanim bin Shaheen Al-Ghanim, Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES CENTRAL COMMAND—Continued

[Report of Tangible Gifts Furnished by the United States Central Command]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Vice Admiral Mark I. Fox, Deputy Commander.	Aigner Gentleman's Verona watch. Rec'd—1/7/2014. Est. Value—$723.00. Disposition—Transferred to General Services Administration.	Major General Ghanim bin Shaheen Al-Ghanim, Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant Commander Richard Moebius.	Burberry men's Swiss Chrono watch. Rec'd—1/26/2014. Est. Value—$695.00. Disposition—Transferred to General Services Administration.	Major General Ghanim bin Shaheen Al-Ghanim, Chief of Staff of the Qatar Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Lloyd Austin III, Commander of U.S. Central Command.	Concord men's watch. Al-Jazeera perfume. Montale Paris perfume. Brecourt Paris Farah perfume. Rec'd—3/27/2014. Est. Value—$2,265.27. Disposition—Transferred to General Services Administration.	Major General Hamad bin Ali Al-Attiyah, Chief of Staff of the Air Force of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Lloyd Austin III, Commander of U.S. Central Command.	Model ship. Briefcase. Four books. Rec'd—5/16/2014. Est. Value—$652.17. Disposition—Transferred to General Services Administration.	Lieutenant General Sultan bin Mohammed Al-Nu'amani, Minister of the Royal Office of the Sultanate of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Mark I. Fox, Deputy Commander.	Various gifts. Rec'd—3/31/2015. Est. Value—$4,655.90. Disposition—Transferred to General Services Administration.	Lieutenant General Mohammed Al-Khodhr, Chief of the General Staff of the Kuwait Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Lloyd Austin III, Commander of U.S. Central Command.	Fountain pen. Rec'd—5/16/2015. Est. Value—$720.00. Disposition—Transferred to General Services Administration.	General Jean Kahwagi, Commander of the Lebanese Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major Kenneth C. Evans	Longines watch. Rec'd—5/20/2015. Est. Value—$1,000.00. Disposition—Transferred to General Services Administration.	Brigadier General Hamad Al Neyadi, Deputy Commandant of the National Defense College of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES MARINE CORPS

[Report of Tangible Gifts Furnished by the United States Marine Corps]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Brigadier General N.L. Cooling, Deputy Commander of the United States Marine Corps Forces Europe and Africa.	7th to 8th century B.C. bronze axe from Georgian National Museum. Rec'd—4/17/2015. Est. Value—$3,196.00. Disposition—Retained by MARFOREUR/AF for official display.	Major General Vakhtang Kapanadze, Chief of General Staff of the Armed Forces of Georgia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General Kenneth F. McKenzi, Commander of the United States Marine Corps Forces Central Command.	Longines stainless steel automatic watch. Rec'd—4/21/2015. Est. Value—$1,248.00. Disposition—Accepted on behalf of the Deparment of Defense and DRMO'd.	Staff Major General Saleh Al-Ameri, Commander of Land Forces of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF HOMELAND SECURITY

[Report of Tangible Gifts and Travel Furnished by the Department of Homeland Security]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Jeh Charles Johnson, Secretary of Homeland Security of the United States.	4′ x 6′ silk hand-knotted Persian rug with blue, gold, and brown details. Rec'd—6/19/2015. Est. Value—$800.00. Disposition—Retained for official display in the Secretary's office.	His Excellency Dr. Ali bin Fetais al-Marri, Attorney General of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jeh Charles Johnson, Secretary of Homeland Security of the United States.	Louis Vuitton dark brown leather wallet. Rec'd—9/11/2015. Est. Value—$600.00. Disposition—Retained for official display in the Secretary's office.	His Excellency Abdullah Bin Nasser Khalifa Al Thani, Minister of Interior of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Special Agent, United States Secret Service.	Hamilton men's watch. Rec'd—2014. Est. Value—$580.00. Disposition—Pending transfer to General Services Administration.	The Custodian of the Two Holy Mosques Abdullah bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Deputy Assistant Director, United States Secret Service.	Hamilton men's watch. Rec'd—2014. Est. Value—$550.00. Disposition—Pending transfer to General Services Administration.	The Custodian of the Two Holy Mosques Abdullah bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Susan DiMarco, Spouse of the Secretary of Homeland Security of the United States.	Bulgari silk scarf. Rec'd—6/30/2015. Est. Value—$455.00. Disposition—Pending transfer to General Services Administration.	Mr. Angelino Alfano, Minister of Interior of the Italian Republic, and Mrs. Tiziana Miceli.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Assistant Special Agent in Charge, United States Secret Service.	Gucci men's watch. Rec'd—8/14/2015. Est. Value—$1,000.00. Disposition—Pending transfer to General Services Administration.	Her Majesty Raja Isteri Pengiran Anak Hajah Saleha of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Assistant to the Special Agent in Charge, United States Secret Service.	Chanel sunglasses. Rec'd—10/29/2015. Est. Value—$460.00. Disposition—Pending transfer to General Services Administration.	His Excellency Irakli Garibashvili, Prime Minister of Georgia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Special Agent, United States Secret Service.	Omega men's watch. Rec'd—10/29/2015. Est. Value—$1,975.00. Disposition—Purchased by recipient from General Services Administration.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Special Agent, United States Secret Service.	Tissot men's watch. Rec'd—10/29/2015. Est. Value—$775.00. Disposition—Purchased by recipient from General Services Administration.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Special Agent, United States Secret Service.	Tissot ladies' watch. Rec'd—10/29/2015. Est. Value—$470.00. Disposition—Purchased by recipient from General Services Administration.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Special Agent, United States Secret Service.	Longines men's watch. Rec'd—10/29/2015. Est. Value—$979.00. Disposition—Pending transfer to General Services Administration.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major Christopher Rivers	TRAVEL: Expenses for a presentation as a guest speaker at CEPOL seminar in Budapest, Hungary. Rec'd—2/9/2015. Est. Value—$2,966.00.	European Union Agency for Law Enforcement Training.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Joseph P. Durand, Special Agent.	TRAVEL: Airline ticket and hotel in Singapore for four-day conference on International Money Laundering and Intellectual Property Rights. Rec'd—7/6/2015. Est. Value—$1,600.00.	The Association of Banks in Singapore.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF HOMELAND SECURITY—Continued

[Report of Tangible Gifts and Travel Furnished by the Department of Homeland Security]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. Nathan Weichelt Rodgers, Civil Emergency Planning Officer, U.S. Mission to NATO.	TRAVEL: Airfare, ground transportation, lodging, and meals for participation in a Romanian Search and Rescue and Emergency Services Conference. Rec'd—9/30/2015. Est. Value—$600.00.	Department of Emergency Situations, Ministry of International Affairs of Romania.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Sherman Wooden, Special Agent.	TRAVEL: Guest speaker at 2015 Ontario Provincial Strategy workshop in Niagara Falls, Canada. Rec'd—1/26/2014. Est. Value—$6872.11.	Ontario Provincial Police of Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF JUSTICE

[Report of Tangible Gifts and Gifts of Travel Furnished by the Department of Justice]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Eric Holder, Attorney General of the United States.	Set of Christofle silver bookends. Rec'd—1/19/2015. Est. Value—$650.00. Disposition—Pending transfer to General Services Administration.	The Honorable Bernard Cazeneuve, Minister of Interior of the French Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Eric Holder, Attorney General of the United States.	Case with rug. Rec'd—1/22/2015. Est. Value—$700.00. Disposition—Pending transfer to General Services Administration.	His Excellency Dr. Ali bin Fetais al-Marri, Attorney General of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
RADM Chris A. Bina, PharmD, Senior Deputy Assistant of the Health Services Division of the Federal Bureau of Prisons.	Jalaba, a Moroccan ceremonial dress, with shoes. Walther Glass ornamental bowl. Rec'd—10/28/2015. Est. Value—$448.00. Disposition—Retained for official display in the Division Office Suite.	Mr. Abdelaziz Shiaa, Director of Fez Penitentiary of the Kingdom of Morocco.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Bernardo Arellano	TRAVEL: Expenses for travel to attend specialized course on Evidence Management of Illicit Small Arms and Ammunition. Rec'd—3/25–27/2015. Est. Value—$1,100.00.	United Nations Regional Center for Peace, Disarmament and Development in Latin America and the Caribbean.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Jeremy Scheetz, Intelligence Operations Specialist.	TRAVEL: Expenses for travel to attend a symposium in Bangkok, Thailand on World Strategy to Combat Outlaw Motorcycle Gangs. Rec'd—5/16–23/2015. Est. Value—$2,794.95.	Australian Federal Police	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Jeremy Scheetz, Intelligence Operations Specialist.	TRAVEL: Expenses for travel to attend a symposium in The Hague, The Netherlands on World Strategy to Combat Outlaw Motorcycle Gangs. Rec'd—11/16–21/2015. Est. Value—$2,049.00.	European Union Agency for Law Enforcement Training.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Michael Keller, ATF Senior Electrical Engineer.	TRAVEL: Expenses for travel to speak at the Ontario Provincial Police Conference. Rec'd—12/1–3/2015. Est. Value—$1,361.18.	Ontario Provincial Police of Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. James Lord, ATF Senior Fire Research Engineer.	TRAVEL: Expenses for travel to speak at the Ontario Provincial Police Conference. Rec'd—12/1–3/2015. Est. Value—$1,385.50.	Ontario Provincial Police of Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF TREASURY

[Report of Tangible Gifts and Travel Furnished by the Department of Treasury]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Jacob Lew, Secretary of the Treasury of the United States.	Limited-edition international silver coin collection—rugby world champions 2011. Rec'd—10/30/2014. Est. Value—$406.00. Disposition—Pending transfer to General Services Administration.	Ms. Gill Marcus, Governor of the South African Reserve Bank.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Daniel Glaser, Assistant Secretary of Treasury of the United States.	Men's Rolex Oyster Perpetual Datejust watch with silver band and black face. Rec'd—9/17/2015. Est. Value—$7,300.00. Disposition—Pending transfer to General Services Administration.	Ambassador Nasser al-Sabeeh, Assistant Minister of Foreign Affairs for Follow-up and Coodination Affairs of the Ministry of Foreign Affairs of the State of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ENVIRONMENTAL PROTECTION AGENCY

[Report of Travel Furnished by the Environmental Protection Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. William A. Sonntag, Office of International and Tribal Affairs, Office of Global Affairs and Policy, International Organizations and Policy.	TRAVEL: Lodging, daily meals, and incidental expenses at the UN rate for Bonn, Germany. Rec'd—2/2–6/2015. Est. Value—$1,100.00.	Professor Jacqueline McGlade, Chief Scientist, Division of Early Warning and Assessment, United Nations Environment Program.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Lesley V. D'Anglada, Microbiologist, Health and Ecological Criteria Division, Office of Science and Technology, Office of Water.	TRAVEL: Meals, transportation, incidental expenses. Rec'd—2/19–27/2015. Est. Value—$1,367.00.	World Health Organization	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Santhini Ramasamy, Senior Scientist, Office of Science and Technology, Office of Water.	TRAVEL: Meals, transportation, incidental expenses. Rec'd—2/19–27/2015 Est. Value—$1,106.00.	World Health Organization	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Matt Martin, Research Biologist, National Center for Computational Toxicology, Office of Research and Development.	TRAVEL: Meals, transportation, incidental expenses, and lodging in Lyon, France. Rec'd—3/1–11/2015 Est. Value—$1,689.00.	International Agency for the Research on Cancer.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Andrew J.R. Gillespie, Ph.D., Associate Director, National Exposure Research Laboratory.	TRAVEL: Transportation via university vehicle to and from various field research and demonstration sites around Zvolen; lodging for approximately eighteen days and University housing in Zvolen and Tatras, Slovakia. Rec'd—3/8–26/2015. Est. Value—$1,000.00.	Faculty of the Forestry of the Technical University in Zvolen, Slovak Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. William A. Sonntag, Office of International and Tribal Affairs, Office of Global Affairs and Policy, International Organizations and Policy.	TRAVEL: Lodging, meals, and incidental expenses while in Geneva, Switzerland. Rec'd—3/28–4/1/2015. Est. Value—$1,575.00.	Professor Jacqueline McGlade, Chief Scientist, Division of Early Warning and Assessment, United Nations Environment Program.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Andrew J.R. Gillespie, Ph.D., Associate Director, National Exposure Research Laboratory.	TRAVEL: Transportation via government vehicle to and from various field research and demonstration sites throughout Macedonia including Skopje, Jasen, Gevgelia, Mavrovo, Pellister, and Stip. Rec'd—3/31–4/29/2015. Est. Value—$1,000.00.	Ministry of Agriculture, Forestry, and Water Economy of the Republic of Macedonia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ENVIRONMENTAL PROTECTION AGENCY—Continued

[Report of Travel Furnished by the Environmental Protection Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. Eugene Jablonowski, Health Physicist, Region 5 Superfund Emergency Response.	TRAVEL: Meals, lodging, local transportation, baggage, laundry, incidentals, and foreign transaction fees while in Vienna, Austria. Rec'd—5/2–9/2015. Est. Value—$1,380.00.	Nuclear Fuel Cycle and Waste Technology Divisions, Waste Technology Section, and the Nuclear Science and Instrumentation Laboratory Division's Physics Section of the International Atomic Energy Agency.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Stephanie Adrian, Office of International and Tribal Affairs.	TRAVEL: Lodging, meals, and incidentals while in Panama City, Panama. Rec'd—5/3–9/2015. Est. Value—$1,648.00.	United Nations Environment Program.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Terry Keating, Senior Scientist, Office of Air and Radiation.	TRAVEL: Lodging, meals, transportation, and incidental expenses while in Ottawa, Canada. Rec'd—5/26–29/2015. Est. Value—$1,288.00.	Division of Early Warning and Assessment, United Nations Environment Program.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. John L. Kough, Ph.D., Senior Scientist, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.	TRAVEL: Meals, transportation, incidental expenses, and lodging while in Geneva, Switzerland. Rec'd—5/26–31/2015. Est. Value—$1,332.00.	Dr. Anna Drexler, Program Officer, Department of Control of Neglected Tropical Diseases, World Health Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. William A. Sonntag, Office of International and Tribal Affairs, Office of Global Affairs and Policy, International Organizations and Policy.	TRAVEL: Lodging, meals, transportation, and incidental expenses while in Ottawa, Canada. Rec'd—5/26–29/2015. Est. Value—$1,248.00.	Division of Early Warning and Assessment, United Nations Environment Program.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Kent Thomas, Research Physical Scientist, Office of Research and Development.	TRAVEL: Meals, transportation, incidental expenses, and lodging while in Lyon, France. Rec'd—5/31–6/10/2015. Est. Value—$1,984.38.	International Agency for Research on Cancer.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Paul Alexander Almodovar, Lead Environmental Engineer, Office of Air and Radiation, Office of Air Quality Planning and Standard.	TRAVEL: Meals, lodging, and public transportation. Rec'd—6/9–13/2015. Est. Value—$1,662.05.	United Nations Environmental Program.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Terry Keating, Senior Scientist, Office of Air and Radiation.	TRAVEL: Lodging, meals, incidentals, and local transportation while in Zurich, Switzerland. Rec'd—8/8–12/2015. Est. Value—$1,092.50.	World Meteorological Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Ruth A. Etzel, Director, Office of Children's Health Protection.	TRAVEL: Meals, transportation, incidental expenses, and lodging while in Lyon, France. Rec'd—8/10–15/2015. Est. Value—$904.00.	Dr. Joachim Schuz, Head, Section of Environment and Radiation, International Agency for Research on Cancer.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Sasha Koo-Oshima, senior International Water Policy Advisor, Office of Water.	TRAVEL: Lodging, meals, airport transportation, and World Water Week registration fee while in Stockholm, Sweden. Rec'd—8/22–25/2015. Est. Value—$1,716.00.	International Hydrological Program, United Nations Educational, Scientific, and Cultural Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Michael Doherty, Chemist, Office of Pesticide Programs.	TRAVEL: Meals and incidental expenses while in Geneva, Switzerland. Rec'd—9/10–24/2015. Est. Value—$2,802.24.	Food and Agriculture Organization of the United Nations.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Phillip G. Dickerson, Jr., Group Leader, Office of Air Quality Planning and Standards.	TRAVEL: Daily Subsistence Allowance for six days for duty station in Nairobi, Kenya. Rec'd—9/13–18/2015. Est. Value—$1,872.00.	United Nations Environment Program.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: ENVIRONMENTAL PROTECTION AGENCY—Continued

[Report of Travel Furnished by the Environmental Protection Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Dr. Prakashchandra V. Shah, Chief, IIAB, Registration Division, OPP, OSCPP.	TRAVEL: Meals, hotel, local transportations, transportation to and from airports, and other incidental expenses while in Rome, Italy. Rec'd—9/13–25/2015. Est. Value—$4,847.00.	World Health Organization	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Lynn Flowers, Ph.D., DABT, Associate Director for Health, National Center for Environmental Assessment.	TRAVEL: Meals, local transportation to and from hotel to meeting, incidental expenses, and lodging while in Bonn, Germany. Rec'd—9/21/2015. Est. Value—$986.00.	World Health Organization	Non-acceptance would cause embarrassment to donor and U.S. Government.
Dr. Thomas Luben, Senior Epidemiologist, Office of Research and Development, National Center for Environmental Assessment.	TRAVEL: Lodging, meals, and incidental expenses while in Bonn, Germany. Rec'd—9/28–10/2/2015. Est. Value—$1,100.00.	European Center for Environment and Health, World Health Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Kimberly Nesci, Chief, Microbial Pesticides Branch, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs, Office of Chemical Safety and Pollution Prevention.	TRAVEL: Transportation to and from airport, lodging, meals, and other incidental expenses. Rec'd—10/1/2015. Est. Value—$1,472.00.	Food and Agriculture Organization of the United Nations.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Doug Linden, Environmental Engineer, Region 9.	TRAVEL: Meals and incidental expenses while in San Jose, Costa Rica. Rec'd—11/14–12/2/2015. Est. Value—$4,150.00.	Ms. Eugenia Rodriguez, National Commission of Emergencies of the Republic of Costa Rica.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Eugene Jblonowski, Health Physicist, Region 5 Superfund Emergency Response.	TRAVEL: Meals, lodging, and local transportation while in Vienna, Austria. Rec'd—11/28–12/5/2015. Est. Value—$926.27.	Department of Nuclear Science and Applications, Physical and Chemical Sciences Section, International Atomic Energy Agency.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: FEDERAL COMMUNICATIONS COMMISSION

[Report of Travel Furnished by the Federal Communications Commission]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Ms. Nese Guendelsberger, Deputy Bureau Chief, International Bureau.	TRAVEL: Conference travel tickets to Paris, France to Barcelona, Spain, and back to Paris, France, and hotel expenses. Rec'd—6/16–18/2015. Est. Value—$438.00.	Barcelona Institute of International Studies.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Jonathan Levy, Deputy Chief Economist, Office of Strategic Planning and Policy Analysis.	TRAVEL: Local transportation, meals, and hotel accomodation in connection with the participation and speaking at the International Seminar on Comparative Regulations of Audiovisual Services. Rec'd—7/5–7/2015. Est. Value—$742.00.	United Nations Educational Scientific and Cultural Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Matthew DelNero, Bureau Chief, Wireline Competition Bureau.	TRAVEL: Local transportation, meals, and hotel accomodation in connection with attendance and speaking on a panel at the 2nd Ministerial Forum for Broadband. Rec'd—9/9–11/2015. Est. Value—$946.00.	Inter-American Development Bank	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: FEDERAL COMMUNICATIONS COMMISSION—Continued

[Report of Travel Furnished by the Federal Communications Commission]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. Jonathan Levy, Deputy Chief Economist, Office of Strategic Planning and Policy Analysis.	TRAVEL: Hotel, meals, and flight expenses to and from Bangkok, Thailand to speak at the National Broadcasting and Telecommunications Commission Seminar and Conference. Rec'd—10/27–30/2015. Est. Value—$9,278.00.	National Broadcasting and Telecommunications Commission.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Tracey Weisler, Senior Advisor for Organization for Economic Cooperation and Development and International ICT Access Issues, International Bureau.	TRAVEL: Hotel, meals, and flight expenses to and from Joao Pessoa, Brazil to speak at the Internet Governance Forum. Rec'd—11/9–13/2015. Est. Value—$625.24.	Organization for Economic Cooperation and Development.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: NATIONAL SCIENCE FOUNDATION

[Report of Travel Furnished by the National Science Foundation]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Dr. Linda Hyman, Division Director MCB.	TRAVEL: Lodging and meals at a workshop. Rec'd—11/8–12/2015. Est. Value—$600.00.	The UK Biotechnology and Biological Sciences Research Council (BBSRC).	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

[Report of Tangible Gifts Furnished by the Office of the Director of National Intelligence]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
5 U.S.C. 7342(f)(4)	Chopard LUC white gold men's watch with inscription engraved on back. Allegro ballpoint pen. Chopard white gold cufflinks. Single strand of yellow plastic prayer beads. Rec'd—2/20/2015. Est. Value—$13,000.00. Disposition—Retained for official display.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
5 U.S.C. 7342(f)(4)	Turquoise, red, and black enameled wood single pedestal round low side table. Orange and red embroidered gauze shawl. Rec'd—2/26/2015. Est. Value—$450.00 Disposition—Retained for official use.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
5 U.S.C. 7342(f)(4)	Minh Long floral majolica and gilt lotus vase. Gilt metal presentation plaque. Pale yellow amber nugget necklace and bracelet in a polychrome red and gold black lacquer case. Prime Art 99.9 pure (24-carat) Florentine yellow textured gold bamboo plaque in a shadow box frame. Rec'd—3/16/2015. Est. Value—$1,200.00 Disposition—Retained for official use.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE—Continued

[Report of Tangible Gifts Furnished by the Office of the Director of National Intelligence]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
5 U.S.C. 7342(f)(4)	Framed photograph of two ravens in flight. Rec'd—4/14/2015. Est. Value—$500.00 Disposition—Retained for official use.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
5 U.S.C. 7342(f)(4)	Silver bookmark and keychain in a fitted black felt case. Rec'd—6/29/2015. Est. Value—$500.00 Disposition—Retained for official use.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
5 U.S.C. 7342(f)(4)	Italian dark rain pebble leather money clip wallet by Salvatore Ferragamo. 2010 Opus One 750ml bottle of red wine. Rec'd—7/21/2015. Est. Value—$650.00 Disposition—Retained for official use. Perishable items handled pursuant to the guidelines set forth by General Services Administration.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
5 U.S.C. 7342(f)(4)	Crystal replica of Ministry of the Interior with a presentation paper plaque in a fitted blue velvet case. Rec'd—8/25/2015. Est. Value—$750.00 Disposition—Retained for official use.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
5 U.S.C. 7342(f)(4)	925-silver filigree model of ''The Borobudur Temple'' in a fitted shadow box frame. Rec'd—9/22/2015. Est. Value—$700.00 Disposition—Retained for official use.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
5 U.S.C. 7342(f)(4)	Montblanc Meisterstuck white metal banded black resin fountain pen with 14-carat gold nib in a fitted black vinyl case. Two presentation medals in a fitted blue and mahogany finish case. Rec'd—10/26/2015. Est. Value—$900.00 Disposition—Retained for official use.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
5 U.S.C. 7342(f)(4)	Group of eight miniature silver objects in a fitted display frame and red vinyl fitted case. Rec'd—11/2/2015. Est. Value—$500.00 Disposition—Retained for official use.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
5 U.S.C. 7342(f)(4)	Omega Seamaster Professional 300m—Swiss stainless steel automatic chronometer watch. Rec'd—11/3/2015. Est. Value—$4,000.00 Disposition—Retained for official use.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: OFFICE OF THE MAYOR OF THE DISTRICT OF COLUMBIA

[Report of Tangible Gift Furnished by the Office of the Mayor of the District of Columbia]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Muriel Bowser, Mayor of the District of Columbia.	Silver-plated replica of Saudi Palace with gold-plated accents in the building in a chest-like structure with gold-plated filigree palm tree on roof, green resin base, and gold-plated palm trees on either side of the building. Rec'd—9/16/2015. Est. Value—$1,500.00. Disposition—Retained for official display on the 6th floor of the John A. Wilson Building.	The Custodian of the Two Holy Mosques Salman bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: OFFICE OF THE U.S. TRADE REPRESENTATIVE

[Report of Tangible Gift Furnished by the Office of the U.S. Trade Representative]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Ambassador Michael Froman, United States Trade Representative.	Braun Buffel Hector document briefcase. Rec'd—8/2015. Est. Value—$690.00. Disposition—Retained for official display in the Ambassador's office.	YB Dato' Sri Mustapa bin Mohamed, Minister of International Trade and Industry of Malaysia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

[Report of Travel Furnished by the U.S. Agency for International Development]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
USAID Employee	TRAVEL: Travel on helicopter from Caqueta to various towns in Department of Florencia. Rec'd—2/19–20/2015. Est. Value—$1,500.00.	Government of the Republic of Colombia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
USAID Employee	TRAVEL: Travel on helicopter from Medellin to Ituango and Antioquia. Rec'd—3/4/2015. Est. Value—$400.00.	Government of the Republic of Colombia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
USAID Employee	TRAVEL: Travel on helicopter from Medellin to Taraza and Cáceres. Rec'd—6/30/2015. Est. Value—$1,500.00.	Government of the Republic of Colombia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Susan Cheung	TRAVEL: Hotel and local transportation. Rec'd—7/20–22/2015. Est. Value—$610.00.	Korea International Cooperation Agency.	Non-acceptance would cause embarrassment to donor and U.S. Government.
USAID Employee	TRAVEL: Travel on helicopter from Caqueta to various towns in Department of Florencia. Rec'd—11/19/2015. Est. Value—$1,200.00.	Government of the Republic of Colombia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Jenifer Sanderson	TRAVEL: Hotel accomodations. Rec'd—Unknown. Est. Value—$378.00.	Foreign Government Official	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: U.S. HOUSE OF REPRESENTATIVES

[Report of Tangible Gifts and Travel Furnished by the U.S. House of Representatives]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable John Boehner, Speaker of the House.	Barbeque grill. Rec'd—1/11/2015. Est. Value—$399.00. Disposition—Pending transfer to General Services Administration.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Boehner, Speaker of the House.	Seiko Astron watch. Rec'd—4/29/2015. Est. Value—$1,800.00 Disposition—Deposited with the Clerk of the House and is pending transfer to General Services Administration.	His Excellency Shinzo Abe, Prime Minister of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Dana Rohrabacher, Member of Congress of the United States.	Large oriental rug. Rec'd—1/29/2015. Est. Value—$2,000.00. Disposition—Retained for official display at 2300 Rayburn House Office Building.	His Excellency General Abdul Rashid Dostum, First Vice President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jim McDermott, Member of Congress of the United States.	TRAVEL: Food and travel to Australia Near Flinders' Campus. Rec'd—8/9–11/2015. Est. Value—$1,044.76.	Professor Phyllis Tharenou,Executive Dean of the Faculty of Social and Behavoiral Sciences at Flinders University of Australia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable David N. Cicilline, Member of Congress of the United States.	TRAVEL: Transportation by military helicopter to a Government of Gabon site visit. Rec'd—8/27/2015. Est. Value—Unknown.	His Excellency Michael Moussa, Ambassador of the Gabonese Republic to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joe Kennedy III, Member of Congress of the United States.	TRAVEL: Transportation by military helicopter to a Government of Gabon site visit. Rec'd—8/27/2015. Est. Value—Unknown.	His Excellency Michael Moussa, Ambassador of the Gabonese Republic to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Erik Paulsen, Member of Congress of the United States.	TRAVEL: Transportation via government-owned helicopter to Wonga Wongue National Park for conservation briefing and tour. Rec'd—8/27/2015. Est. Value—Unknown.	His Excellency Michael Moussa, Ambassador of the Gabonese Republic to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Geoffrey Antell, Trade Counsel, Ways & Means Committee.	TRAVEL: Transportation via government-owned helicopter to Wonga Wongue National Park for Conservation briefing and tour. Rec'd—8/27/2015. Est. Value—Unknown.	His Excellency Michael Moussa, Ambassador of the Gabonese Republic to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Angela Ellar, Chief Trade Counsel, Ways & Means Committee.	TRAVEL: Transportation via government-owned helicopter to Wonga Wongue National Park for Conservation briefing and tour. Rec'd—8/27/2015. Est. Value—Unknown.	His Excellency Michael Moussa, Ambassador of the Gabonese Republic to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Mark Hadley, General Counsel	TRAVEL: Hotel lodging for two nights with continental breakfast, lunch, and snack (cookies) for two days, cost of dinner for two nights, and taxi fares for travel between the airport and the hotel. Rec'd—9/23–25/2015. Est. Value—Unknown.	Mr. Tolga R. Yalkin, Professor of Law at the University of Ottawa and General Counsel and Director of Policy at the Parliamentary Budget Office of Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Hillary Rodham Clinton, Senator of the United States.	Ancient Roman glass Judaica salt dish with sterling silver stand. Metal and wood sculpture by Israel Hadany. Rec'd—2/2002. Est. Value—$195.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Benyamin Elon, Minister of Tourism of the State of Israel.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Rodham Clinton, Senator of the United States.	75″ x 48″ Afghan rug. Rec'd—12/8/2006. Est. Value—$500.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Abdul Rahim Wardak, Minister of Defense of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Thune, Senator of the United States.	3′ x 5′ rug. Rec'd—12/13/2006. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Jalal Talabani, President of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Thune, Senator of the United States.	3′ x 5′ rug. Rec'd—12/15/2006. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Bill Nelson, Senator of the United States.	Model ship in a clear case with small engraved plate. Rec'd—12/15/2006. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Ahmed Abdulla Al-Mehmood, Minister of State for Foreign Affairs of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Bill Nelson, Senator of the United States.	Miniature golden camels surrounding water hole in green box. Rec'd—12/2006. Est. Value—$500.00. Disposition—Retained for official display in SH–716.	The Custodian of the Two Holy Mosques Abdullah bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Bill Nelson, Senator of the United States.	Five leather briefcases with Arabic inscription. Silver frankincense burner with engraving. Two Calvin Klein men's watches. Five gold medallions with the seal of the Kingdom of Saudi Arabia. Large engraved crystal in box. Rec'd—12/2006. Est. Value—$1,900.00. Disposition—Burner retained for official display in SH–716. All other gifts deposited with the Secretary of the Senate.	His Royal Highness Prince Muqrin bin Abdulaziz Al Saud, Intelligence Director of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Harry Reid, Senator of the United States.	Fresh flowers in glass vase. Rec'd—1/4/2007. Est. Value—$150.00. Disposition—Flowers were displayed in S–221. Vase deposited with the Secretary of the Senate.	His Excellency Nguyen Tam Chien, Ambassador of the Socialist Republic of Vietnam to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Evan Bayh, Senator of the United States.	Silver bowl with President of the Islamic Republic of Pakistan seal. Rec'd—1/14/2007. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency General Pervez Musharraf, President of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Evan Bayh, Senator of the United States.	Blue lapis lazuli vase. Rec'd—1/15/2007. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Rodham Clinton, Senator of the United States.	Set of silver Demitasse cups and wooden bowls. Rec'd—1/2007. Est. Value—$600.00. Disposition—Deposited with the Secretary of the Senate.	Their Majesties King Abdullah II ibn Al Hussein and Queen Rania Al Abdullah, King and Queen of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable John Warner, Senator of the United States.	Three scarves and one silk tie by Designer Lie Sang Bong. Rec'd—2/6/2007. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Shin Sungsoon, Minister Counselor at the Embassy of the Republic of Korea in the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ted Kennedy, Senator of the United States.	Framed picture of Panamanian village. Rec'd—2/14/2007. Est. Value—$200.00. Disposition—Retained for official display in SR–323.	His Excellency Martín Torrijos Espino, President of the Republic of Panama.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Warner, Senator of the United States.	Decorative Koryo Celadon pottery teapot. Rec'd—2/22/2007. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Kim Jang-Soo, Minister of Defense of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Warner, Senator of the United States.	Decorative clock. Rec'd—3/5/2007. Est. Value—$120.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Sheikh Khalid Bin Ahmed bin Mohammed Al Khalifa, Minister of Foreign Affairs of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Minority Leader of the United States Senate.	Pair of cufflinks depicting a replica of a coin of King Sitric of Dublin. Rec'd—3/15/2007. Est. Value—$130.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Bertie Ahern, Prime Minister of Ireland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Marcel Letttre, Senior Defense and Intelligence Advisor, Office of Senator Harry Reid.	1.7 fluid ounce of men's Amouage Ciel Pour Homme eau de toilette. Rec'd—3/19/2007. Est. Value—$190.00. Disposition—Deposited with the Secretary of the Senate.	Lieutenant General Sayyid Munthir Majid Said Al Said, Head of the Omani Royal Office Liaison and Coodination Service.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, Senator of the United States.	Persian rug. Rec'd—4/3/2007. Est. Value—$300.00. Disposition—Retained for official display in SR–237.	His Excellency General Pervez Musharraf, President of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, Senator of the United States.	18th century Galton muzzle. Rec'd—4/4/2007. Est. Value—Unknown. Disposition—Retained for official display in SR–237.	Major General Muhammad Alam Khattak, Inspector-General of the Frontier Corps, NWFP, Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Richard Lugar, Senator of the United States.	Three woodblock prints in cloth-wrapped maroon presentation book. Rec'd—4/30/2007. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Taro Aso, Minister of Foreign Affairs of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Tim Kaine, Senator of the United States.	Three Ukiyo-e woodblock prints. Rec'd—5/1/2007. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Taro Aso, Minister of Foreign Affairs of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Patrick Leahy, Senator of the United States.	Book of photographs with text of China. Rec'd—5/9/2007. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Chen Yibai, Vice Director of the Nanjing Education Bureau's Education Technology Center of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Patrick Leahy, Senator of the United States.	Framed Nanjing Brocade wall hanging. Rec'd—5/9/2007. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Wu Xijun, Former Vice Governor of the Jiangsu Province of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Amy Klobuchar, Senator of the United States.	Hand-blown glass bowl made by Canadian artist Gregor Herman. Rec'd—5/20/2007. Est. Value—$150.00. Disposition—Retained for official display in 302 Hart Senate Building.	Mr. Robert Merrifield, Co-chair of the U.S.-Canada Interparliamentary Group and Mr. Jerry S. Grafstein, Senator, Co-Chair of the U.S.—Canada Interparliamentary Group, and Vice President of the Organization for Security and Cooperation in Europe Parliamentary Assembly.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable E. Benjamin Nelson, Senator of the United States.	Hand-crafted Russian dagger. Hand-painted traditional Russian doll. Hand-painted blue Russian pitcher. Rec'd—5/30/2007. Est. Value—$414.00. Disposition—Retained for official display in SH–270.	His Excellency Mikhail Margelov, Senator of the Federation Council of the Russian Federation.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Trent Lott, Senator of the United States.	Hand-painted traditional doll. Silver dagger in brown wooden display box. Rec'd—5/30/2007. Est. Value—$280.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Mikhail Margelov, Senator of the Federation Council of the Russian Federation.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Bill Nelson, Senator of the United States.	Silver warrior and horse. Rec'd—6/1/2007. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Department of State Services, Federal Republic of Nigeria.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Hillary Rodham Clinton, Senator of the United States.	Free-standing mirrored artwork by M. Pistoletto. Rec'd—6/6/2007. Est. Value—$500.00. Disposition—Retained for official display in SR–468.	His Excellency Francesco Rutelli, Deputy Prime Minister and Minister of Cultural Heritage of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Warner, Senator of the United States.	Decorative silk picture scroll. Rec'd—6/25/2007. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Director Wang Yang, Member of the National Chinese Central Committee.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Robert P. Casey Jr., Senator of the United States.	Hand-carved wooden chess set with dice and nylon carring bag. Rec'd—8/10/2007. Est. Value—$500.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Jalal Talabani, President of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Bill Nelson, Senator of the United States.	Commemorative gold coins celebrating the Malaysian Police Force. Rec'd—8/28/2007. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	YBhg. Dato Ramli Bin Sha'ari, Director of the Royal Malaysian Police.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Max Baucus, Senator of the United States.	Two wooden chess sets. Statue. Rec'd—9/13/2007. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	Embassy of the Republic of Iraq in the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ken Salazar, Senator of the United States.	Chess set. Rec'd—9/17/2007. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	Embassy of the Republic of Iraq in the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Harry Reid, Senator of the United States.	Armenian Dudak wooden fife from Djivan Gasparian. Rec'd—10/19/2007. Est. Value—Unknown. Disposition—Deposited with the Secretary of the Senate.	His Excellency Serzh Sargsyan, Prime Minister of the Republic of Armenia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Hillary Rodham Clinton, Senator of the United States.	Leather box with leather and glass flower vases and medallions. Rec'd—10/2007. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ted Stevens, Senator of the United States.	Collection of Hashemite coins in wooden presentation box. Rec'd—11/25/2007. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Johnny Isakson, Senator of the United States.	Framed artwork of Equatorial Guinea. Rec'd—1/7/2008. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Teodoro Obiang Nguema Mbasogo, President of Equatorial Guinea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Carl Levin, Senator of the United States.	Piece of lapis lazuli. Rec'd—4/22/2008. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Abdul Rahim Wardak, Minister of Defense of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Russell Feingold, Senator of the United States.	Rug. Rec'd—5/26/2008. Est. Value—$200.00. Disposition—Retained for official display in Senator Office, 506 Hart Senate Building.	Mr. Ameer Haider Khan Hoti, Chief Minsiter of Khyber Pakhtunkhwa of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Russell Feingold, Senator of the United States.	Silver serving bowl. Rec'd—5/27/2008. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency General Pervez Musharraf, President of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Evan Gottesman, Professional Staff Member, Intelligence Committee.	Silver serving bowl. Rec'd—5/27/2008. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency General Pervez Musharraf, President of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Sarah Margon, Legislative Assistant to Senator Russell Feingold.	Silver serving bowl. Rec'd—5/27/2008. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency General Pervez Musharraf, President of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ken Salazar, Senator of the United States.	Ceremonial robe, sash, and hat. Gold coins. Rec'd—7/1/2008. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Rustam Minnikhanov, Prime Minister of the Republic of Tatarstan of the Russian Federation.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Benjamin Nelson, Senator of the United States.	Wristwatch with Russian coat of arms logo. Rec'd—7/23/2008. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	Russian Inter-Parliamentary Group.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Anthony Blinken, Staff Director of the Committee on Foreign Relations.	Lapis lazuli vase. Rec'd—7/25/2008. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Harry Reid, Senator of the United States.	Swarovski crystal clam with pearl. Rec'd—8/8/2008. Est. Value—$165.00. Disposition—Deposited with the Secretary of the Senate.	Government of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Harry Reid, Senator of the United States.	Model Kuwaiti sailing ship. Rec'd—9/18/2008. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Nasser Mohammed Al-Jaber Al-Sabah, Prime Minister of the State of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Minority Leader of the United States Senate.	Small wooden model of an ancient sailing ship. Rec'd—9/18/2008. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Nasser Mohammed Al-Jaber Al-Sabah, Prime Minister of the State of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Daniel Inouye, Senator of the United States.	Gold-plated replica of the 2008 Beijing Olympics Bird's Nest Stadium. Rec'd—9/19/2008. Est. Value—$140.00. Disposition—Retained for official display in Senate Office 722 Hart Senate Building.	Her Excellency Chen Zhili, Vice Chairwoman of the Chinese National People's Congress.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Olympis Snowe, Senator of the United States.	Handmade traditional Afghan rug with brown, black, and tan design. Rec'd—11/9/2008. Est. Value—$120.00. Disposition—Retained for official display in Senate Office 154 Hart Senate Building.	His Excellency Abdul Rahim Wardak, Minister of Defense of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Sheldon Whitehouse, Senator of the United States.	Rug. Rec'd—11/11/2008. Est. Value—$120.00. Disposition—Retained for official display in Senate Office 502 Hart Senate Building.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph Biden, Senator of the United States.	Rug. Rec'd—11/2008. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	The Honorable Farooq H. Naek, Minister of Justice of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Lindsey Graham, Senator of the United States.	Bhutanese wool rug. Rec'd—12/4/2008. Est. Value—$250.00. Disposition—Retained for official display in Senate Office 293 Russell Senate Building.	His Majesty Jigme Khesar Namgyel Wangcuck, King of Bhutan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph Lieberman, Senator of the United States.	Bhutanese wool rug. Rec'd—12/4/2008. Est. Value—$250.00. Disposition—Retained for official display in Senate Office 706 Hart Senate Building.	His Majesty Jigme Khesar Namgyel Wangcuck, King of Bhutan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, Senator of the United States.	Bhutanese wool rug. Rec'd—12/4/2008. Est. Value—$250.00. Disposition—Retained for official display in Senate Office 235 Russell Senate Building.	His Majesty Jigme Khesar Namgyel Wangcuck, King of Bhutan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph Liberman, Senator of the United States.	3′ x 5′ Oriental-style rug. Rec'd—12/6/2008. Est. Value—$100. Disposition—Retained for official display in Senate Office 706 Hart Senate Building.	Members of the Pakistani Peoples' Party.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Byron Dorgan, Senator of the United States.	Collection of eight replica coins minted in the early 20th century. Rec'd—12/14/2008. Est. Value—$225.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, Senator of the United States.	The Hashemite coins of His Majesty King Hussein bin Ali minted between 1916–1924. Rec'd—12/18/2008. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph Biden, Senator of the United States.	Engraved metal object, title: *Stele of Hammurabi.* Rec'd—1/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Foreign Government Official	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph Biden, Senator of the United States.	Green, white, and brass decoration. Rec'd—1/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Foreign Government Official	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Joseph Biden, Senator of the United States.	Silver palm tree in glass case. Rec'd—1/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Jalal Talabani, President of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph Biden, Senator of the United States.	Set of glasses. Glass vase. Rec'd—1/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph Biden, Senator of the United States.	Large wooden box with intricate designs. Rec'd—1/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Foreign Government Official	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph Biden, Senator of the United States.	Silver bowl. Rec'd—1/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Syed Yousaf Raza Gillani, Prime Minister of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph Biden, Senator of the United States.	Marble vase. Rec'd—1/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Lutfullah Mashal Governor of the Laghman Province of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph Biden, Senator of the United States.	Metal and wood plaque. Rec'd—1/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	General in the Pakistani Army	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Patrick Leahy, Senator of the United States.	Marble candleholder with molded brass lid in leather-lined box casing. Rec'd—1/15/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Antony Blinken, Staff Director of the Foreign Relations Committee.	Handcrafted wooden chess set. Rec'd—1/15/2009. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Jalal Talabani, President of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Puneet Talwar, Professional Staff Member of the Foreign Relations Committee.	Handcrafted wooden chess set. Rec'd—1/15/2009. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Jalal Talabani, President of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Jonah Blank, Professional Staff Member of the Foreign Relations Committee.	Handcrafted wooden chess set. Rec'd—1/15/2009. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Jalal Talabani, President of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	3′9″ x 5′5″ carpet. Rec'd—1/23/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Max Baucus, Senator of the United States.	Silver bar bearing image of Michaelangelo Merisi da Carvaggio. Rec'd—2/1/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Mark Miceli, Ambassador of Malta to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Carl Levin, Senator of the United States.	Candle set with gel candles. Rec'd—2/1/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable James E. Risch, Senator of the United States.	Book, title: *Welcome Malta to Europe*. Rec'd—3/17/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Mark Miceli, Ambassador of Malta to the United States and Ms. Christine Pace, Deputy Chief of Mission.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James E. Risch, Senator of the United States.	Silver medallion bearing the image of Michaelangelo Merisi da Caravaggio. Rec'd—3/17/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Alan Caruana, Head of the Secretariat of the Ministry of Finance, Economy, and Investment of Malta.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Michael Manning, Legislative Fellow, Office of Senator James E. Risch.	Book, title: *Welcome Malta to Europe*. Rec'd—3/17/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Mark Miceli, Ambassador of Malta to the United States and Ms. Christine Pace, Deputy Chief of Mission.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Andrew Keller, Deputy Counsel, Committee on Foreign Relations.	Small bar of silver. Rec'd—4/6/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Alan Caruana, Head of the Secretariat of the Ministry of Finance, Economy, and Investment of Malta.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barbara Boxer, Senator of the United States.	Replica copper plate engraved with map of the Middle East. Rec'd—4/16/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Highness Sheikh Khalid Bin Saqr Al Qasmi, Former Crown Prince and Deputy Ruler of Ras Al Khaimah, United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Edward Kaufman, Senator of the United States.	Silver bowl. Rec'd—4/17/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Yousaf Raza Gillani, Prime Minister of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Edward Kaufman, Senator of the United States.	Lapis lazuli vase. Rec'd—4/18/2009. Est. Value—$225.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Majority Leader of the United States Senate.	Glass lamp with decorative polished stone holder. Rec'd—4/27/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Their Majesties King Abdullah II ibn Al Hussein and Queen Rania Al Abdullah, King and Queen of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	5′2″ x 4′2″ red, green, and beige rug. Rec'd—5/15/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	6′3″ x 4′1″ red and beige Tabiz rug. 5′10″ x 4′ Pakistani Bokhara rug. Rec'd—5/15/2009. Est. Value—$275.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Asif Ali Zardari, President of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mark Begich, Senator of the United States.	Miniature replica bronze cast statue by Croatian artist Ivan Mestrovic. Rec'd—5/20/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Kolinda Grabar-Kitarović, Ambassador of the Republic of Croatia to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	Mounted 18th century replica pistol. Rec'd—5/21/2009. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	Major General Tariq Khan, Army General Officer of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Sheldon Whitehouse, Senator of the United States.	4′ x 6′ rug. Rec'd—5/25/2009. Est. Value—$120.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Asif Ali Zardari, President of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Sheldon Whitehouse, Senator of the United States.	Hermes silk tie. Rec'd—5/28/2009. Est. Value—$170.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Bernard Kouchner, Minister of Foreign Affairs of the French Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	Encased Byzantine icon. Rec'd—5/29/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Bashar al-Asad, President of the Syrian Arab Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	Commemorative helmet. Rec'd—6/5/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Lisa Murkowski, Senator of the United States.	Gold statue of a wishing well. Rec'd—6/17/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Abdulla Bin Hamad Al-Attiyah, Deputy Prime Minister of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	6′4″ x 4′1″ blue and beige Tabriz rug. Rec'd—6/21/2009. Est. Value—$250.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Asif Ali Zardari, President of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James E. Risch, Senator of the United States.	Red ceramic vase with gold detailing. Rec'd—7/22/2009. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Jason Yuan, Taiwan Representative to the United States and Head of the Taipei Economic and Cultural Representative Office.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, Senator of the United States.	3′ x 5′ multicolored rug. Rec'd—8/17/2009. Est. Value—$250.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Edward Kaufman, Senator of the United States.	Lapis lazuil bowl. Rec'd—9/3/2009. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Minority Leader of the United States Senate.	Framed gold-embossed metal artwork of Chinese ship. Rec'd—9/9/2009. Est. Value—$202.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Wu Bangguo, Chairman of the Standing Committee of the National People's Congress of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Harry Reid, Senator of the United States.	Fine china teacup set. Rec'd—11/10/2009. Est. Value—$202.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Ban Ki-moon, Secretary-General of the United Nations.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Evan Bayh, Senator of the United States.	Miniature framed Mughal print. Rec'd—1/4/2010. Est. Value—$140.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Dr. Manmohan Singh, Prime Minister of the Republic of India.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Barrasso, Senator of the United States.	Republic of glass vessel from the Roman Empire. Rec'd—1/9/2010. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Walid Jumblatt, Leader of the Progressive Socialist Party of the Republic of Lebanon.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. William Castle, Counsel for Senator Orrin Hatch, Committee on the Judiciary.	Book, title: *Spanish Painting from El Greco to Picasso—Time, Truth, and History*. Rec'd—1/20/2010. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Guillermo Corral Van Damme, General Manager of Government Policy and Industry for Culture Affairs of the Ministry of Culture Affairs of Spain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Edward Kaufman, Senator of the United States.	Turquoise Taiwanese Vase. Rec'd—1/21/2010. Est. Value—$225.00. Disposition—Deposited with the Secretary of the Senate.	Taipei Economic and Cultural Representative Office.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Carl Levin, Senator of the United States.	Metal candle holder with floral design. Rec'd—1/29/2010. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Edward Kaufman, Senator of the United States.	Two silver bowls. Rec'd—3/30/2010. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Asif Ali Zardari, President of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Edward Kaufman, Senator of the United States.	Silver bowl. Rec'd—3/30/2010. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Yousaf Raza Gillani, Prime Minister of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Edward Kaufman, Senator of the United States.	Lapis lazuli plate. Rec'd—3/31/2010. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Abdul Rahim Wardak, Minister of Defense of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Margaret Murphy, Protocol and Foreign Travel Coordinator, U.S. Senate Committee on Foreign Relations.	Wenger watch. Rec'd—4/16/2010. Est. Value—$275.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	Silk neck ties. Rec'd—4/2010. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Silvio Berlusconi, President of the Council of Ministers of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Harry Reid, Majority Leader of the United States Senate.	Large blue lacquer box. Rec'd—5/12/2010. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Minority Leader of the United States Senate.	Oriental rug. Rec'd—5/12/2010. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Keith Luse, Senior Professional Staff Member, United States Senator Committee on Foreign Relations.	Neck tie. Rec'd—5/19/2010. Est. Value—$165.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Jung Yoon Ho, Counselor at the Embassy of the Republic of Korea in the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Kerry, Senator of the United States.	Large wool rug. Rec'd—6/2010. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Arlen Specter, Senator of the United States.	Prince squash racquet. Rec'd—8/15/2010. Est. Value—$120.00. Disposition—Deposited with the Secretary of the Senate.	Dr. Shen Lyu-shun, Deputy Foreign Minister of Taiwan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Carl Levin, Senator of the United States.	Waziri dagger. Rec'd—9/1/2010. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Lieutenant General Asif Yasin Malik, Army of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jack Reed, Senator of the United States.	Tan, red, black and brown Afghan rug. Rec'd—9/2/2010. Est. Value—$400.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Abdul Rahim Wardak, Minister of Defense of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	4′ x 6′ rug with leather carrying case. Rec'd—9/14/2010. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Dr. Ali bin Fetais al-Marri, Attorney General of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	4′ x 6.5′ multicolored wool rug. Rec'd—9/14/2010. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Major General Javed Aslam Tahi, General Officer Commanding the Pakistan Army Aviation.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Lindsey Graham, Senator of the United States.	Silk and wool rug. Rec'd—9/15/2010. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Dr. Ali bin Fetais al-Marri, Attorney General of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jack Reed, Senator of the United States.	Blue Nouveautes silk neck tie. Rec'd—9/15/2010. Est. Value—$106.70. Disposition—Deposited with the Secretary of the Senate.	His Excellency Han Duk-soo, Ambassador of the Republic of Korea to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mark Pryor, Senator of the United States.	Blue Nouveautes silk neck tie. Rec'd—9/15/2010. Est. Value—$104.46. Disposition—Deposited with the Secretary of the Senate.	His Excellency Han Duk-soo, Ambassador of the Republic of Korea to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Lindsey Graham, Senator of the United States.	Decorative sword. Rec'd—10/28/2010. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Dr. Ali bin Fetais al-Marri, Attorney General of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Lindsey Graham, Senator of the United States.	3′ x 5′ Afghan rug. Rec'd—12/7/2010. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Lindsey Graham, Senator of the United States.	Stuffed grouse on bark. Rec'd—3/2/2011. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Gary G. Mar, Minister-Counsellor of the Province of Alberta, Canada to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	54″ x 30″ rug. Rec'd—3/29/2011. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Dr. Abdul Hafeez Shaikh, Minister of Finance of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Christopher A. Coons, Senator of the United States.	Zebra painting. Rec'd—4/12/2011. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Raila Odinga, Prime Minister of the Republic of Kenya.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	Clock and desk display. Rec'd—4/20/2011. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Highness Sheikh Hamad bin Khalifa Al Thani, Emir of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Harry Reid, Majority Leader, United States Senate.	Embroidered velvet scarf. Rec'd—4/23/2011. Est. Value—$108.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Zeng Wei, Shenyang Party Secretary of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	Framed and matted bird print. Rec'd—5/12/2011. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Dai Bingguo, State Councilor of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	Customized Jordanian iPhone and flip video. Rec'd—5/16/2011. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mark Kirk, Senator of the United States.	Blue lacquered vase. Rec'd—5/18/2011. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Chen Bingde, Commanding General of the People's Liberation Army, General Staff Department of Beijing, People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. James A. Wolfe, Director of Security, Select Committee on Intelligence, United States Senate.	Traser watch. Rec'd—5/19/2011. Est. Value—$225.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	118″ x 9″ rug. 118″ x 39″ rug. Rec'd—5/19/2011. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	General Atta Mohammad Noor, Governor of the Balkh Province of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Rob Portman, Senator of the United States.	Gold and silver dagger. Rec'd—5/24/2011. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Aleksandar Miscevic, State Secretary of Defense of the Republic of Serbia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rob Portman, Senator of the United States.	Blue floral vase. Rec'd—6/10/2011. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	Delvaux leather portfolio. Rec'd—6/28/2011. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Royal Highness Prince Philippe, Crown Prince of Belgium.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, Senator of the United States.	Carved stone bowl. Rec'd—7/2011. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	Six silk neck ties. Rec'd—10/3/2011. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Silvio Berlusconi, President of the Council of Ministers of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Minority Leader of the United States Senate.	Lacquered jewelry box. Rec'd—10/12/2011. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Lee Myung-bak, President of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Orrin G. Hatch, Senator of the United States.	Silk scarf and tie set. Rec'd—10/17/2011. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Children's Welfare Delegation of the Government of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, Senator of the United States.	21″ x 17″ gold framed painting. Rec'd—11/1/2011. Est. Value—$270.00. Disposition—Deposited with the Secretary of the Senate.	Mr. David Bakradze, Chairman of the Parliament of Georgia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Charles Schmuer, Senator of the United States.	Samsung digital camera. Rec'd—1/2/2012. Est. Value—$140.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Yousef Al Otaiba, Ambassador of the United Arab Emirates to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	William & Son fountain pen. Silver necklace and earring set. Replica dagger with holder. Rec'd—1/4/2012. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Highness Qaboos bin Said Al Said, Sultan of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barbara Mikulski, Senator of the United States.	Long Jerusalem tea box. Rec'd—1/5/2012. Est. Value—$140.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Ehud Barak, Minister of Defense of the State of Israel and Former Prime Minister of the State of Israel.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Senator of the United States.	Lasting Impressions gift basket. Rec'd—1/9/2012. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Ali Bin Fahad Al-Hajri, Ambassador of the State of Qatar to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	Waterman ballpoint pen. Rec'd—1/11/2012. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Taher Nashat al-Masri, Former President of the Upper House of the Parliament of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	Bagrationi Gonio Eniseli brandy with cigar. Rec'd—1/31/2012. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Mikheil Saakashvili, President of Georgia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Jeff Sessions, Senator of the United States.	4′ x 6′ Afghan rug. Rec'd—2/19/2012. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Lindsey Graham, Senator of the United States.	4′ x 6′ Afghan rug. Rec'd—2/19/2012. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Christopher A. Coons, Senator of the United States.	Juan Valdez Samurai Pods coffee maker and pods of Juan Valdez coffee. Rec'd—2/27/2012. Est. Value—$160.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Juan Manuel Santos, President of the Republic of Colombia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Christopher A. Coons, Senator of the United States.	National Geographic DVD, title: *The Last Place on Earth*. Rec'd—3/7/2012. Est. Value—$175.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Carlos Victor Boungou, Former Ambassador of the Gabonese Republic to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	Amouage Memoir cologne and perfume gift set. Rec'd—3/8/2012. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Dr. Salem Nasser Al-Ismaily, Chairman of the Oman Center for Investment Promotion and Export Development.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barbara Milkulski, Senator of the United States.	Tissot watch. Rec'd—3/21/2012. Est. Value—$219.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency General Mashal Al-Zaben, Advisor to His Majesty the King for Military Affairs and Chairman of the Joint Chiefs of Staff of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Tom Harkin, Senator of the United States.	Framed painting. Rec'd—4/28/2012. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Alassane Qauttara, President of the Republic of Côte d'Ivoire.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Tom Udall, Senator of the United States.	Framed painting. Rec'd—5/5/2012. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Alassane Qauttara, President of the Republic of Côte d'Ivoire.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Roger F. Wicker, Senator of the United States.	Framed African textile. Rec'd—5/6/2012. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Alassane Qauttara, President of the Republic of Côte d'Ivoire.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Christopher A. Coons, Senator of the United States.	Taiwanese ceramic vase. Rec'd—5/9/2012. Est. Value—$225.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Jason Yuan, Taiwan Representative to the United States and Head of the Taipei Economic and Cultural Representative Office.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Marco Rubio, Senator of the United States.	Davidoff cigars. Rec'd—5/28/2012. Est. Value—$135.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Jason Yuan, Taiwan Representative to the United States and Head of the Taipei Economic and Cultural Representative Office.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Christopher A. Coons, Senator of the United States.	Zanzibar door. Rec'd—6/2/2012. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Ali Mohamed Shein, President of Zanzibar, United Republic of Tanzania.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, Senator of the United States.	Lebanese knit tablecloth and towel set. Rec'd—7/5/2012. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	Sheikh Fouad Siniora, Member of Parliament of the Lebanese Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Joseph I. Lieberman, Senator of the United States.	Ornate gold statue. S.T. Dupont pen. Rec'd—8/1/2012. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	The Custodian of the Two Holy Mosques Abdullah bin Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Mitch McConnell, Minority Leader of the United States Senate.	Painting by artist Aung Min Min. Rec'd—9/19/2012. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	Daw Aung San Suu Kyi, Chairperson and General Secretary of the National League for Democracy of the Republic of the Union of Myanmar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	Trinitae soaps and lotions. Rec'd—9/21/2012. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashmite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Minority Leader of the United States Senate.	Burmese painting. Rec'd—9/24/2012. Est. Value—$250.00. Disposition—Deposited with the Secretary of the Senate.	Daw Aung San Suu Kyi, Chairperson and General Secretary of the National League for Democracy of the Republic of the Union of Myanmar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mark Udall, Senator of the United States.	Collection of silk Chinese paintings by Yun Shouping. Rec'd—12/7/2012. Est. Value—$250.00. Disposition—Deposited with the Secretary of the Senate.	Dr. Wang Jiarui, Vice Chairman of the Chinese People's Political Consultative Conference.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John F. Kerry, Senator of the United States.	4′ x 6′ Afghan rug. Rec'd—12/13/2012. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Salahuddin Rabbani, Chairman of the High Peace Council of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jeanne Shaheen, Senator of the United States.	Two bottles of Chivas Brothers scotch whiskey. Rec'd—12/13/2012. Est. Value—$270.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mark Udall, Senator of the United States.	Chivas Brothers scotch whiskey. Rec'd—12/13/2012. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John D. Rockefeller IV, Senator of the United States.	Chivas Brothers scotch whiskey. Rec'd—12/13/2012. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Clair McCaskill, Senator of the United States.	Chivas Brothers scotch whiskey. Rec'd—12/15/2012. Est. Value—$169.99. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Charles Schumer, Senator of the United States.	iPad Mini. Rec'd—12/17/2012. Est. Value—$325.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Yousef Al Otaiba, Ambassador of the United Arab Emirates to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Robert Menendez, Senator of the United States.	Chivas Brothers scotch whiskey. Rec'd—12/18/2012. Est. Value—$189.99. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Debbie Stabenow, Senator of the United States.	Chivas Brothers scotch whiskey. Rec'd—12/18/2012. Est. Value—$125.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jack Reed, Senator of the United States.	Chivas Brothers scotch whiskey. Rec'd—12/18/2012. Est. Value—$135.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. Neil Campbell, Chief of Staff for Senator Jack Reed.	Chivas Brothers scotch whiskey. Rec'd—12/18/2012. Est. Value—$135. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jeff Sessions, Senator of the United States.	Chivas Brothers scotch whiskey. Rec'd—12/19/2012. Est. Value—$170.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Minority Leader of the United States Senate.	Chivas Brothers scotch whiskey. Rec'd—12/19/2012. Est. Value—$160.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Johnny Isakson, Senator of the United States.	Chivas Brothers scotch whiskey. Rec'd—12/19/2012. Est. Value—$175.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Chuck Grassley, Senator of the United States.	Chivas Brothers scotch whiskey. Rec'd—12/19/2012. Est. Value—$170.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Roger F. Wicker, Senator of the United States.	Chivas Brothers scotch whiskey. Rec'd—12/19/2012. Est. Value—$135.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Roy Blunt, Senator of the United States.	iPad Mini. Rec'd—12/20/2012. Est. Value—$330.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Yousef Al Otaiba, Ambassador of the United Arab Emirates to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Max Baucus, Senator of the United States.	Chivas Brothers scotch whiskey. Rec'd—12/27/2012. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Dianne Feinstein, Senator of the United States.	Chivas Brothers scotch whiskey. Rec'd—12/27/2012. Est. Value—$250.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Sherry Rehman, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Christopher A. Coons, Senator of the United States.	Lapis lazuli mosaic bowl. Rec'd—1/17/2013. Est. Value—$250.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Christopher A. Coons, Senator of the United States.	Congolese wooden and brass statue. Rec'd—1/23/2013. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Joseph Kabila, President of the Democratic Republic of the Congo.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John D. Rockefeller IV, Senator of the United States.	Black lacquer pencil case with gold leaf floral design. Rec'd—1/24/2013. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Kenichiro Sasae, Ambassador of Japan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, Senator of the United States.	5′ x 10 Afghan rug. Rec'd—1/2013. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Mazie K. Hirono, Senator of the United States.	Black lacquer box. Rec'd—2/14/2013. Est. Value—$2000.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Kenichiro Sasae, Ambassador of Japan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Christopher A. Coons, Senator of the United States.	Congolese wooden and brass statue. Rec'd—2/24/2013. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Ms. Jaynet Kabila, National Deputy of the Democratic Republic of the Congo National Assembly'.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Carl Levin, Senator of the United States.	Rug. Rec'd—3/12/2013. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Ali Zaidan, Prime Minister of the State of Libya.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Charles Schumer, Senator of the United States.	Book, title: *Istanbul—City of Memories and Hopes*. Rec'd—3/13/2013. Est. Value—$168.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Kadir Topbas, Mayor of Istanbul of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mazie K. Hirono, Senator of the United States.	Tatsumura Japanese brocade bag. Rec'd—4/9/2013. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	Dr. Genshitsu Sen, Goodwill Ambassador, United Nations Educational, Scientific, and Cultural Organization.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Sherrod Brown, Senator of the United States.	Box of high quality tea. Rec'd—5/21/2013. Est. Value—$100.00. Disposition—Deposited with the Secretary of the Senate.	Mr. King Putsung, Taiwan Representative to the United States and Head of the Taipei Economic and Cultural Representative Office.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jack Reed, Senator of the United States.	Woven Afghan area rug. Rec'd—6/4/2013. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Carolyn Chuhta, Military Legislative Assistant for Senator Jack Reed.	Woven Afghan area rug. Rec'd—6/6/2013. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Carl Levin, Senator of the United States.	Small Afghan area rug. Rec'd—6/6/2013. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Bill Nelson, Senator of the United States.	Velvet framed wood tree on mother-of-pearl. Rec'd—6/11/2013. Est. Value—$120.00. Disposition—Deposited with the Secretary of the Senate.	Government of the State of Israel	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Patrick J. Leahy, Senator of the United States.	Japanese Kyoto silk dolls. Rec'd—6/20/2013. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	The Democratic Party of Japan ...	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Nancy Erickson, Senator of the United States.	Decorative plate. Rec'd—8/1/2013. Est. Value—$115.00. Disposition—Deposited with the Secretary of the Senate.	The Honorable Chung Jin Suk, Secretary General of the National Assembly of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Tim Kaine, Senator of the United States.	Medalla. Rec'd—10/2/2013. Est. Value—$136.00. Disposition—Deposited with the Secretary of the Senate.	Ms. Marcela Guerra Castillo, Mexican Senator and President of the North American Foreign Affairs Committee.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ted Cruz, Senator of the United States.	Medalla. Rec'd—10/3/2013. Est. Value—$136.00. Disposition—Deposited with the Secretary of the Senate.	Ms. Marcela Guerra Castillo, Mexican Senator and President of the North American Foreign Affairs Committee.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Angus S. King, Jr., Senator of the United States.	Haddad cutlery set. Rec'd—2/19/2014. Est. Value—$220.00. Disposition—Deposited with the Secretary of the Senate.	General Jean Kahwagi, Commander of the Lebanese Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Tim Kaine, Senator of the United States.	Haddad cutlery set. Rec'd—3/27/2014. Est. Value—$220.00. Disposition—Deposited with the Secretary of the Senate.	General Jean Kahwagi, Commander of the Lebanese Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mazie K. Hirono, Senator of the United States.	Mikimoto frame. Rec'd—4/7/2014. Est. Value—$137.48. Disposition—Deposited with the Secretary of the Senate.	Mr. Banri Kaieda, President of the Democratic Party of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Hoeven, Senator of the United States.	Six bottles of wine. Bottle of vintage cognac. Rec'd—4/15/2014. Est. Value—$250.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Vlad Filat, President of the Liberal Demoratic Party of Moldova.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Barrasso, Senator of the United States.	Vintage cognac. Rec'd—4/18/2014. Est. Value—$137.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Vlad Filat, President of the Liberal Demoratic Party of Moldova.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, Senator of the United States.	Vintage cognac. Rec'd—4/18/2014. Est. Value—$137.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Vlad Filat, President of the Liberal Demoratic Party of Moldova.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ron Johnson, Senator of the United States.	Vintage cognac. Rec'd—4/18/2014. Est. Value—$137.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Vlad Filat, President of the Liberal Demoratic Party of Moldova.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Patrick Leahy, Senator of the United States.	Bamboo xylophone. Wooden Flaun gong. Rec'd—4/18/2014. Est. Value—$370.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Truong Tan Sang, President of the Socialist Republic of Vietnam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mazie K. Hirono, Senator of the United States.	Artwork, title: *Stength in Unity*. Rec'd—4/25/2014. Est. Value—$100.08. Disposition—Deposited with the Secretary of the Senate.	Councilor Martin Reilly, Mayor of Londonderry of Northern Ireland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mike Crapo, Senator of the United States.	Framed floral print. Rec'd—5/15/2014. Est. Value—$125.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Ngiyen Sing Hung, Chairman of the National Assembly of the Socialist Republic of Vietnam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Hoeven, Senator of the United States.	Four bottles of wine. Bottle of vintage cognac. Rec'd—5/21/2014. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Vlad Filat, President of the Liberal Demoratic Party of Moldova.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Minority Leader of the United States Senate.	Sullivan's Cove single malt whiskey. Rec'd—6/11/2014. Est. Value—$146.00. Disposition—Deposited with the Secretary of the Senate.	The Honorable Tony Abbott, MP, Prime Minister of Australia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mazie K. Hirono, Senator of the United States.	Chinese silk brocade scroll. Rec'd—6/17/2014. Est. Value—$250.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Zhang Ping, Vice Chairman of the Standing Committee of the National People's Congress of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Christopher Murphy, Senator of the United States.	Gift basket of cookies and crackers. Rec'd—12/10/2014. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate. Perishable items handled pursuant to the guidelines set forth by General Services Administration.	His Excellency Elin Suleymanov, Ambassador of the Republic of Azerbaijan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Christopher A. Coons, Senator of the United States.	Handmade bedspread and pillow shams. Rec'd—12/19/2014. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	Her Excellency Ellen Sirleaf Johnson, President of the Republic of Liberia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable John McCain, Senator of the United States.	Lapis lazuli bowl. Rec'd—12/2014. Est. Value—$300.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Mohammed Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Elizabeth O'Bagy, Legislative Assistant for Senator John McCain.	Lapis lazuli candelabra. Rec'd—12/2014. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Mohammed Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Charles Schumer, Senator of the United States.	Chest of assorted premium dates. Rec'd—1/16/2015. Est. Value—$250.00. Disposition—Deposited with the Secretary of the Senate.	His Highness Abdullah bin Zayed Al Nahyan, Minister of Foreign Affairs and International Cooperation of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Pat Roberts, Senator of the United States.	Decorative revolving vase with swimming fish. Rec'd—1/29/2015. Est. Value—$350.00. Disposition—Deposited with the Secretary of the Senate.	Dr. Shen Lyu-sheun, Taiwan Representative to the United States and Head of the Taipei Economic and Cultural Representative Office.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Majority Leader of the United States Senate.	Lapis lazuli stone. Rec'd—3/25/2015. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Majority Leader of the United States Senate.	Gold-plated replica of parliament building. Rec'd—4/30/2015. Est. Value—$110.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Thura U Shwe Mann, Speaker of the Lower House of Parliament of the Republic of the Union of Myanmar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Majority Leader of the United States Senate.	Royal Delft plate. Framed picture of the King and Queen of the Netherlands. Rec'd—6/1/2015. Est. Value—$759.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty King William-Alexander, King of the Netherlands.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Majority Leader of the United States Senate.	Montblanc pen. Rec'd—6/11/2015. Est. Value—$220.00. Disposition—Deposited with the Secretary of the Senate.	Dr. Saleem Al-Jabouri, Speaker of the Council of Representatives of the Republic of Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, Senator of the United States.	Painting by Dembereldorj Munkh. Rec'd—7/2015. Est. Value—$320.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Mr. Chimediin Saikhanbileg, Prime Minister of Mongolia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, Senator of the United States.	Decorative vase. Rec'd—7/8/2015. Est. Value—$200.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Nguyen Phu Trong, General Secretary of the Communist Party of Vietnam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jack Reed, Senator of the United States.	Framed set of prints of sites in Vietnam. Rec'd—7/31/2015. Est. Value—$120.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Nguyen Sinh Hung, Chairman of the National Assembly of the Socialist Republic of Vietnam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Orrin G. Hatch, President Pro Tempore of the United States Senate.	Framed wire art depicting an Indonesian god. Rec'd—9/10/2015. Est. Value—$116.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Setya Novanto, Speaker of the House of Representatives of the Republic of Indonesia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Edward J. Markey, Senator of the United States.	Guinea-shaped woodcarving. Rec'd—9/16/2015. Est. Value—$150.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Alpha Condé, President of the Republic of Guinea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Angus S. King, Jr., Senator of the United States.	Decorative ceramic egg. Rec'd—10/17/2015. Est. Value—$120.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Einar Guofinnsson, Speaker of Parliament of the Republic of Iceland.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Roy Blunt, Senator of the United States.	Painted silk scroll of the Forbidden City. Rec'd—10/29/2015. Est. Value—$500.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Lu Zushan, Member of the Communist Party of the Central Committee and Vice Chairman of the Financial and Economic Committee of the National People's Assembly of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Orrin G. Hatch, President Pro Tempore of the United States Senate.	Kaizan Yo porcelain plate. Rec'd—12/8/2015. Est. Value—$135.00. Disposition—Deposited with the Secretary of the Senate.	Mr. Keiji Furuya, Member of the House of Representatives in the National Diet of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Majority Leader of the United States Senate.	Engraved silver Tiffany & Co. box. Rec'd—12/13/2015. Est. Value—$135.00. Disposition—Deposited with the Secretary of the Senate.	His Excellency Jaham Al Kuwari, Ambassador of the State of Qatar to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Mark E. Morrison, Deputy Staff Director for Senator Robert F. Bennett.	TRAVEL: Transportation within France via bus to various government and business facilities, lodging, and meals. Rec'd—5/26–6/1/2007. Est. Value—Unknown.	Government of the French Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Paula Burg, Legislative Assistant to Senator Patty Murray.	TRAVEL: Lodging, meals, and transportation within Tanzania. Rec'd—2/14–20/2009. Est. Value—Unknown.	Joint United Nations Program on HIV/AIDS.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Sarah Kyle, Legislative Assistant to Senator Evan Bayh.	TRAVEL: Lodging, meals, and transportation within Tanzania. Rec'd—2/14–20/2009. Est. Value—Unknown.	Joint United Nations Program on HIV/AIDS.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mitch McConnell, Minority Leader of the United States Senate.	TRAVEL: Transportation within Egypt. Rec'd—4/5/2009. Est. Value—Unknown.	Multinational Force and Observers.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Saxby Chambliss, Senator of the United States.	TRAVEL: Transportation within Egypt. Rec'd—4/5/2009. Est. Value—Unknown.	Multinational Force and Observers.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Risch, Senator of the United States.	TRAVEL: Transportation within Egypt. Rec'd—4/5/2009. Est. Value—Unknown.	Multinational Force and Observers.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Sharon Soderstrom, Deputy Chief of Staff, Office of the Republican Leader.	TRAVEL: Transportation within Egypt. Rec'd—4/5/2009. Est. Value—Unknown.	Multinational Force and Observers.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Tom Hawkins, National Security Advisor, Office of the Republican Leader.	TRAVEL: Transportation within Egypt. Rec'd—4/5/2009. Est. Value—Unknown.	Multinational Force and Observers.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Reb Brownell, Legislative Assistant, Office of Senator Mitch McConnell.	TRAVEL: Transportation within Egypt. Rec'd—4/5/2009. Est. Value—Unknown.	Multinational Force and Observers.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Brian Monahan, Attending Physician, United States Congress.	TRAVEL: Transportation within Egypt. Rec'd—4/5/2009. Est. Value—Unknown.	Multinational Force and Observers.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Barbara Mikulski, Senator of the United States.	TRAVEL: Transportation within Montenegro and lunch. Rec'd—5/27/2009. Est. Value—Unknown.	Government of Montenegro	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Benjamin Cardin, Senator of the United States.	TRAVEL: Transportation within Montenegro and lunch. Rec'd—5/27/2009. Est. Value—Unknown.	Government of Montenegro	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Roger Wicker, Senator of the United States.	TRAVEL: Transportation within Montenegro and lunch. Rec'd—5/27/2009. Est. Value—Unknown.	Government of Montenegro	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Jim Webb, Senator of the United States.	TRAVEL: Transportation within Myanmar and lodging and meals in Naypyidaw. Rec'd—8/14–15/2009. Est. Value—Unknown.	Government of the Republic of the Union of Myanmar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Hong Le Webb, Spouse of Senator Jim Webb.	TRAVEL: Transportation within Myanmar and lodging and meals in Naypyidaw. Rec'd—8/14–15/2009. Est. Value—Unknown.	Government of the Republic of the Union of Myanmar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Marta McLellan Ross, Legislative Assistant for Senator Jim Webb.	TRAVEL: Transportation within Myanmar and lodging and meals in Naypyidaw. Rec'd—8/14–15/2009. Est. Value—Unknown.	Government of the Republic of the Union of Myanmar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Bob Corker, Senator of the United States.	TRAVEL: Transportation within Pakistan. Rec'd—8/21/2009. Est. Value—Unknown.	Government of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Sherrod Brown, Senator of the United States.	TRAVEL: Transportation within Pakistan. Rec'd—8/21/2009. Est. Value—Unknown.	Government of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Mark Powden, Chief of Staff for Senator Sherrod Brown.	TRAVEL: Transportation within Pakistan. Rec'd—8/21/2009. Est. Value—Unknown.	Government of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Isaac Edwards, Republican Counsel, Committee on Energy and Natural Resources.	TRAVEL: Transportation within Palau via small boat to Peleliu State and the Islands of Koror. Rec'd—8/30/2009. Est. Value—Unknown.	Government of Republic of Palau	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Allen Stayman, Professional Staff Member, Committee on Energy and Natural Resources.	TRAVEL: Transportation within Palau via small boat to Peleliu State and the Islands of Koror. Rec'd—8/30/2009. Est. Value—Unknown.	Government of Republic of Palau	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Lindsey Graham, Senator of the United States.	TRAVEL: Transportation within Saskatchewan via aircraft. Rec'd—9/18–19/2009. Est. Value—Unknown.	Government of Saskatchewan, Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Richard Perry, Chief of Staff for Senator Lindsey Graham.	TRAVEL: Transportation within Saskatchewan via aircraft. Rec'd—9/18–19/2009. Est. Value—Unknown.	Government of Saskatchewan, Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Matthew Rimkunas, Legislative Assistant for Senator Lindsey Graham.	TRAVEL: Transportation within Saskatchewan via aircraft. Rec'd—9/18–19/2009. Est. Value—Unknown.	Government of Saskatchewan, Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Tim Kaine, Senator of the United States.	TRAVEL: Transportation to military installations within Colombia via military helicopter. Rec'd—2/21/2015. Est. Value—Unknown.	Government of the Republic of Colombia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Mary Naylor, Legislative Director for Senator Tim Kaine.	TRAVEL: Transportation to military installations within Colombia via military helicopter. Rec'd—2/21/2015. Est. Value—Unknown.	Government of the Republic of Colombia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Thomas R. Carper, Senator of the United States.	TRAVEL: Transportation to sites within Tanzania. Rec'd—8/15–22/2015. Est. Value—Unknown.	Government of the United Republic of Tanzania.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Martha Carper, Spouse of Senator Thomas R. Carper.	TRAVEL: Transportation to sites within Tanzania. Rec'd—8/15–22/2015. Est. Value—Unknown.	Government of the United Republic of Tanzania.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Christopher Carper, Dependent Child of Senator Thomas R. Carper.	TRAVEL: Transportation to sites within Tanzania. Rec'd—8/15–22/2015. Est. Value—Unknown.	Government of the United Republic of Tanzania.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE—Continued

[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. Benjamin Carper, Dependent Child of Thomas R. Carper.	TRAVEL: Transportation to sites within Tanzania. Rec'd—8/15–22/2015. Est. Value—Unknown.	Government of the United Republic of Tanzania.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Tom Udall, Senator of the United States.	TRAVEL: Transportation to sites within Tanzania. Rec'd—8/15/2015 and 8/18/2015. Est. Value—Unknown.	Government of the United Republic of Tanzania.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jeff Merkley, Senator of the United States.	TRAVEL: Transportation to sites within Gabon via military helicopter. Rec'd—8/27/2015. Est. Value—Unknown.	Government of the Gabonese Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Adrian Snead, Legislative Counsel for Senator Jeff Merkley.	TRAVEL: Transportation to sites within Gabon via military helicopter. Rec'd—8/27/2015. Est. Value—Unknown.	Government of the Gabonese Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Christopher A. Coons, Senator of the United States.	TRAVEL: Transportation to sites within Gabon via military helicopter. Rec'd—8/27/2015. Est. Value—Unknown.	Government of the Gabonese Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Christy Gleason, Senior Strategist for Senator Christopher A. Coons.	TRAVEL: Transportation to sites within Gabon via military helicopter. Rec'd—8/27/2015. Est. Value—Unknown.	Government of the Gabonese Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Thomas Mancinelli, Legislative Assistant for Senator Christopher A. Coons.	TRAVEL: Transportation to sites within Gabon via military helicopter. Rec'd—8/27/2015. Est. Value—Unknown.	Government of the Gabonese Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Al Franken, Senator of the United States.	TRAVEL: Transportation to sites within Gabon via military helicopter. Rec'd—8/27/2015. Est. Value—Unknown.	Government of the Gabonese Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.

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Part III

Department of Labor

Employee Benefits Security Administration

Proposed Exemptions from Certain Prohibited Transaction Restrictions; Notice

DEPARTMENT OF LABOR

Employee Benefits Security Administration

Proposed Exemptions From Certain Prohibited Transaction Restrictions

AGENCY: Employee Benefits Security Administration, Labor.

ACTION: Notice of proposed exemptions.

SUMMARY: This document contains notices of pendency before the Department of Labor (the Department) of proposed exemptions from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (ERISA or the Act) and/or the Internal Revenue Code of 1986 (the Code). This notice includes the following proposed exemptions: D–11868, Royal Bank of Canada (together with its current and future affiliates, RBC or the Applicant); D–11875, Northern Trust Corporation (together with its current and future affiliates, Northern or the Applicant; and D–11879, Proposed Extension of PTE 2015–15 involving Deutsche Bank AG (Deutsche Bank).

DATES: All interested persons are invited to submit written comments or requests for a hearing on the pending exemptions, unless otherwise stated in the Notice of Proposed Exemption, within 45 days from the date of publication of this **Federal Register** Notice.

ADDRESSES: Comments and requests for a hearing should state: (1) The name, address, and telephone number of the person making the comment or request, and (2) the nature of the person's interest in the exemption and the manner in which the person would be adversely affected by the exemption. A request for a hearing must also state the issues to be addressed and include a general description of the evidence to be presented at the hearing.

All written comments and requests for a hearing (at least three copies) should be sent to the Employee Benefits Security Administration (EBSA), Office of Exemption Determinations, U.S. Department of Labor, 200 Constitution Avenue NW., Suite 400, Washington, DC 20210. Attention: Application No. ____, stated in each Notice of Proposed Exemption. Interested persons are also invited to submit comments and/or hearing requests to EBSA via email or FAX. Any such comments or requests should be sent either by email to: *moffitt.betty@dol.gov,* or by FAX to (202) 693–8474 by the end of the scheduled comment period. The applications for exemption and the comments received will be available for public inspection in the Public Documents Room of the Employee Benefits Security Administration, U.S. Department of Labor, Room N–1515, 200 Constitution Avenue NW., Washington, DC 20210.

Warning: All comments will be made available to the public. Do not include any personally identifiable information (such as Social Security number, name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments may be posted on the Internet and can be retrieved by most Internet search engines.

SUPPLEMENTARY INFORMATION:

Notice to Interested Persons

Notice of the proposed exemptions will be provided to all interested persons in the manner agreed upon by the applicant and the Department within 15 days of the date of publication in the **Federal Register**. Such notice shall include a copy of the notice of proposed exemption as published in the **Federal Register** and shall inform interested persons of their right to comment and to request a hearing (where appropriate).

The proposed exemptions were requested in applications filed pursuant to section 408(a) of the Act and/or section 4975(c)(2) of the Code, and in accordance with procedures set forth in 29 CFR part 2570, subpart B (76 FR 66637, 66644, October 27, 2011).[1] Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978, 5 U.S.C. App. 1 (1996), transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, these notices of proposed exemption are issued solely by the Department.

The applications contain representations with regard to the proposed exemptions which are summarized below. Interested persons are referred to the applications on file with the Department for a complete statement of the facts and representations.

Royal Bank of Canada (Together With Its Current and Future Affiliates, RBC or the Applicant), Located in Toronto, Ontario, Canada

[Exemption Application No. D–11868]

Proposed Temporary Exemption

The Department is considering granting a temporary exemption under the authority of section 408(a) of the Employee Retirement Income Security Act of 1974, as amended, (ERISA or the Act) and section 4975(c)(2) of the Internal Revenue Code of 1986, as amended (the Code), and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (76 FR 66637, 66644, October 27, 2011).[2]

Section I: Covered Transactions

If the proposed temporary exemption is granted, certain entities with specified relationships to Royal Bank of Canada Trust Company (Bahamas) Limited (hereinafter, the RBC QPAMs, as further defined in Section II(b)) shall not be precluded from relying on the exemptive relief provided by Prohibited Transaction Exemption (PTE) 84–14,[3] notwithstanding a judgment of conviction against Royal Bank of Canada Trust Company (Bahamas) Limited for aiding and abetting tax fraud, to be entered in France in the District Court of Paris (the Conviction, as further defined in Section II(a)),[4] for a period of up to twelve months beginning on the date of the Conviction (the Conviction Date), provided that the following conditions are satisfied:

(a) The RBC QPAMs (including their officers, directors, agents other than RBC, and employees of such RBC QPAMs) did not know of, have reason to know of, or participate in the criminal conduct of RBCTC Bahamas that is the subject of the Conviction (for purposes of this paragraph (a), ''participate in'' includes the knowing or tacit approval of the misconduct underlying the Conviction);

(b) The RBC QPAMs (including their officers, directors, agents other than RBC, and employees of such RBC QPAMs) did not receive direct compensation, or knowingly receive indirect compensation, in connection with the criminal conduct that is the subject of the Conviction;

[1] The Department has considered exemption applications received prior to December 27, 2011 under the exemption procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, 32847, August 10, 1990).

[2] For purposes of this proposed temporary exemption, references to section 406 of Title I of the Act, unless otherwise specified, should be read to refer as well to the corresponding provisions of section 4975 of the Code.

[3] 49 FR 9494 (March 13, 1984), as corrected at 50 FR 41430 (October 10, 1985), as amended at 70 FR 49305 (August 23, 2005), and as amended at 75 FR 38837 (July 6, 2010).

[4] Section I(g) of PTE 84–14 generally provides that ''[n]either the QPAM nor any affiliate thereof . . . nor any owner . . . of a 5 percent or more interest in the QPAM is a person who within the 10 years immediately preceding the transaction has been either convicted or released from imprisonment, whichever is later, as a result of'' certain felonies including income tax evasion, and aiding and abetting tax evasion.

(c) The RBC QPAMs will not employ or knowingly engage any of the individuals that participated in the criminal conduct that is the subject of the Conviction (for purposes of this paragraph (c), ''participated in'' includes the knowing or tacit approval of the misconduct underlying the Conviction);

(d) An RBC QPAM will not use its authority or influence to direct an ''investment fund,'' (as defined in Section VI(b) of PTE 84–14) that is subject to ERISA or the Code and managed by such RBC QPAM, to enter into any transaction with RBCTC Bahamas or engage RBCTC Bahamas to provide any service to such investment fund, for a direct or indirect fee borne by such investment fund, regardless of whether such transaction or service may otherwise be within the scope of relief provided by an administrative or statutory exemption;

(e) Any failure of the RBC QPAMs to satisfy Section I(g) of PTE 84–14 arose solely from the Conviction;

(f) No entities holding assets that constitute the assets of any plan subject to Part 4 of Title I of ERISA (an ERISA-covered plan) or section 4975 of the Code (an IRA) were involved in the criminal conduct that is the subject of the Conviction;

(g) RBCTC Bahamas has not provided nor will provide discretionary asset management services to ERISA-covered plans or IRAs, or otherwise will act as a fiduciary with respect to ERISA-covered plan and IRA assets;

(h)(1) Each RBC QPAM must immediately develop, implement, maintain, and follow written policies (the Policies) requiring and reasonably designed to ensure that:

(i) The asset management decisions of the RBC QPAM are conducted independently of the management and business activities of RBC, including RBCTC Bahamas;

(ii) The RBC QPAM fully complies with ERISA's fiduciary duties and with ERISA and the Code's prohibited transaction provisions, and does not knowingly participate in any violations of these duties and provisions with respect to ERISA-covered plans and IRAs;

(iii) The RBC QPAM does not knowingly participate in any other person's violation of ERISA or the Code with respect to ERISA-covered plans and IRAs;

(iv) Any filings or statements made by the RBC QPAM to regulators, including but not limited to, the Department of Labor, the Department of the Treasury, the Department of Justice, and the Pension Benefit Guaranty Corporation, on behalf of ERISA-covered plans or IRAs are materially accurate and complete, to the best of such QPAM's knowledge at that time;

(v) The RBC QPAM does not make material misrepresentations or omit material information in its communications with such regulators with respect to ERISA-covered plans or IRAs, or make material misrepresentations or omit material information in its communications with ERISA-covered plan and IRA clients;

(vi) The RBC QPAM complies with the terms of this temporary exemption, if granted; and

(vii) Any violation of, or failure to comply with, an item in subparagraph (ii) through (vi), is corrected promptly upon discovery, and any such violation or compliance failure not promptly corrected is reported, upon discovering the failure to promptly correct, in writing, to appropriate corporate officers, the head of compliance and the General Counsel (or their functional equivalent) of the relevant RBC QPAM, and an appropriate fiduciary of any affected ERISA-covered plan or IRA where such fiduciary is independent of RBC; however, with respect to any ERISA-covered plan or IRA sponsored by an ''affiliate'' (as defined in Section VI(d) of PTE 84–14) of RBC or beneficially owned by an employee of RBC or its affiliates, such fiduciary does not need to be independent of RBC. An RBC QPAM will not be treated as having failed to develop, implement, maintain, or follow the Policies, provided that it corrects any instance of noncompliance promptly when discovered or when it reasonably should have known of the noncompliance (whichever is earlier), and provided that it adheres to the reporting requirements set forth in this subparagraph (vii);

(2) Each RBC QPAM must immediately develop and implement a program of training (the Training), conducted at least annually, for all relevant RBC QPAM asset/portfolio management, trading, legal, compliance, and internal audit personnel. The Training must be set forth in the Policies and at a minimum, cover the Policies, ERISA and Code compliance (including applicable fiduciary duties and the prohibited transaction provisions), ethical conduct, the consequences for not complying with the conditions of this temporary exemption, if granted (including any loss of exemptive relief provided herein), and prompt reporting of wrongdoing;

(i) Effective as of the effective date of this temporary exemption, if granted, with respect to any arrangement, agreement, or contract between an RBC QPAM and an ERISA-covered plan or IRA for which an RBC QPAM provides asset management or other discretionary fiduciary services, each RBC QPAM agrees:

(1) To comply with ERISA and the Code, as applicable with respect to such ERISA-covered plan or IRA; to refrain from engaging in prohibited transactions that are not otherwise exempt (and to promptly correct any inadvertent prohibited transactions); and to comply with the standards of prudence and loyalty set forth in section 404 of ERISA with respect to each such ERISA-covered plan and IRA;

(2) Not to require (or otherwise cause) the ERISA-covered plan or IRA to waive, limit, or qualify the liability of the RBC QPAM for violating ERISA or the Code or engaging in prohibited transactions;

(3) Not to require the ERISA-covered plan or IRA (or sponsor of such ERISA-covered plan or beneficial owner of such IRA) to indemnify the RBC QPAM for violating ERISA or engaging in prohibited transactions, except for violations or prohibited transactions caused by an error, misrepresentation, or misconduct of a plan fiduciary or other party hired by the plan fiduciary who is independent of RBC;

(4) Not to restrict the ability of such ERISA-covered plan or IRA to terminate or withdraw from its arrangement with the RBC QPAM (including any investment in a separately managed account or pooled fund subject to ERISA and managed by such QPAM), with the exception of reasonable restrictions, appropriately disclosed in advance, that are specifically designed to ensure equitable treatment of all investors in a pooled fund in the event such withdrawal or termination may have adverse consequences for all other investors as a result of an actual lack of liquidity of the underlying assets, provided that such restrictions are applied consistently and in like manner to all such investors;

(5) Not to impose any fees, penalties, or charges for such termination or withdrawal with the exception of reasonable fees, appropriately disclosed in advance, that are specifically designed to prevent generally recognized abusive investment practices or specifically designed to ensure equitable treatment of all investors in a pooled fund in the event such withdrawal or termination may have adverse consequences for all other investors, provided that such fees are applied consistently and in like manner to all such investors;

(6) Not to include exculpatory provisions disclaiming or otherwise limiting liability of the RBC QPAM for a violation of such agreement's terms; and

(7) To indemnify and hold harmless the ERISA-covered plan or IRA for any damages resulting from a violation of applicable laws, a breach of contract, or any claim arising out of the failure of such RBC QPAM to qualify for the exemptive relief provided by PTE 84–14 as a result of a violation of Section I(g) of PTE 84–14 other than the Conviction.

Within six (6) months of the date of publication of a notice of temporary exemption in the **Federal Register**, if granted, each RBC QPAM will: Provide a notice of its obligations under this Section I(i) to each ERISA-covered plan and IRA for which an RBC QPAM provides asset management or other discretionary fiduciary services; and Separately warrant in writing to each such ERISA-covered plan and IRA its obligations under subparagraph (1) of this Section I(i);

(j) The RBC QPAMs comply with each condition of PTE 84–14, as amended, with the sole exceptions of the violations of Section I(g) of PTE 84–14 that are attributable to the Conviction;

(k) Each RBC QPAM will maintain records necessary to demonstrate that the conditions of this temporary exemption, if granted, have been met, for six (6) years following the date of any transaction for which such RBC QPAM relies upon the relief in the temporary exemption, if granted;

(l) During the effective period of this temporary exemption, if granted, neither RBC nor any affiliate enters into a Deferred Prosecution Agreement (a DPA) or a Non-Prosecution Agreement (an NPA) with the U.S Department of Justice, in connection with conduct described in Section I(g) of PTE 84–14 or section 411 of ERISA; and

(m) An RBC QPAM will not fail to meet the terms of this temporary exemption, if granted, solely because a different RBC QPAM fails to satisfy a condition for relief under this temporary exemption, if granted, described in Sections I(c), (d), (h), (i), (j), and (k).

Section II: Definitions

(a) The term ''Conviction'' means the potential judgment of conviction against RBCTC Bahamas for aiding and abetting tax fraud to be entered in France in the District Court of Paris, French Special Prosecutor No. 1120392066, French Investigative Judge No. JIRSIF/11/12;

(b) The term ''RBC QPAM'' means a ''qualified professional asset manager'' (as defined in section VI(a)[5] of PTE 84–14) that relies on the relief provided by PTE 84–14 and with respect to which RBCTC Bahamas is a current or future ''affiliate'' (as defined in section VI(d) of PTE 84–14);

(c) The term ''RBCTC Bahamas'' means Royal Bank of Canada Trust Company (Bahamas) Limited, a Bahamian ''affiliate'' of RBC (as defined in section VI(c) of PTE 84–14);

(d) The terms ''ERISA-covered plan'' and ''IRA'' mean, respectively, a plan subject to Part 4 of Title I of ERISA and a plan subject to section 4975 of the Code; and

(e) The term ''RBC'' means Royal Bank of Canada, together with its current and future affiliates.

Effective Date: This proposed temporary exemption, if granted, will be effective for the period beginning on the Conviction Date until the earlier of: The date that is twelve months following the Conviction Date; or the effective date of a final agency action made by the Department in connection with an application for long-term exemptive relief for the covered transactions described herein.

Department's Comment: The Department is publishing this proposed temporary exemption in order to protect ERISA-covered plans and IRAs from certain costs and/or investment losses that may arise to the extent entities with a corporate relationship to RBCTC Bahamas lose their ability to rely on PTE 84–14 as of the Conviction Date, as described below.

The proposed exemption, if granted, would provide relief from certain of the restrictions set forth in sections 406 and 407 of ERISA. No relief from a violation of any other law would be provided by this exemption, if granted, including any criminal conviction described herein.

Furthermore, the Department cautions that the relief in this proposed exemption, if granted, would terminate immediately if, among other things, an entity within the RBC corporate structure is convicted of a crime described in Section I(g) of PTE 84–14 (other than the Conviction) during the effective period of the exemption. While such an entity could apply for a new exemption in that circumstance, the Department would not be obligated to grant the exemption. The terms of this proposed exemption have been specifically designed to permit plans to terminate their relationships in an orderly and cost effective fashion in the event of an additional conviction or a determination that it is otherwise prudent for a plan to terminate its relationship with an entity covered by the proposed exemption.

[5] In general terms, a QPAM is an independent fiduciary that is a bank, savings and loan association, insurance company, or investment adviser that meets certain equity or net worth requirements and other licensure requirements and that has acknowledged in a written management agreement that it is a fiduciary with respect to each plan that has retained the QPAM.

Summary of Facts and Representations

Background

1. The Royal Bank of Canada (together with its current and future affiliates, RBC or the Applicant) is a Canadian corporation headquartered in Toronto, Ontario. RBC is Canada's largest bank and one of the largest banks in the world, with approximately 78,000 employees in offices through Canada, the United States, and 38 other countries. RBC provides personal and commercial banks, wealth management services, insurance, investor services, and capital markets products and services on a global basis. As of October 31, 2014, RBC had approximately CAD$457 billion in assets under management and CAD$4.6 trillion in assets under administration and equity attributable to shareholders of CAD$52.7 billion.

2. RBC owns RBC Capital Markets, LLC, a U.S. registered broker-dealer and a U.S. registered investment adviser. RBC also owns RBC Global Asset Management (U.S.) Inc., a U.S. registered investment adviser, as well as several other registered investment adviser affiliates in the United States and around the world.

3. Royal Bank of Canada Trust Company (Bahamas) Limited (RBCTC Bahamas) is a wholly owned subsidiary of RBC located in the Bahamas, and is regulated by the Central Bank of the Bahamas. RBCTC Bahamas currently provides trust and company management services in all major currencies to international clients. RBCTC Bahamas currently employs 16 full-time equivalents and 5 contractors, and has reported revenues of USD $5,143,861 in fiscal year 2015. As of the second quarter of 2016, RBCTC Bahamas has reported total assets under custody of $2.5 billion, which includes cash, real estate, art, securities, and interests in privately held companies. RBCTC Bahamas is not engaged in asset management activities and does not act as a fiduciary of any plans subject to Part 4 of Title I of ERISA (ERISA-covered plans) or section 4975 of the Code (IRAs).

4. RBCTC Bahamas trust and company management services include ongoing interaction with trusts' settlors

and beneficiaries, investment managers and advisors, and settlors' legal counsel, among others. RBCTC Bahamas also may appoint corporate directors (entities wholly owned by RBCTC Bahamas) for some of the underlying holding entities owned by the trusts for which RBCTC Bahamas acts as trustee. These entities hold assets (which could include cash marketable securities, privately held companies, art, yachts, and other property).

5. Among RBCTC Bahamas's services is providing directors for corporations created by their clients. Such RBCTC Bahamas personnel perform the usual duties of corporate directors. Moreover, RBCTC Bahamas must properly keep the accounts, as they are subject to internal audit to ascertain that proper management is in place. As a result, RBCTC Bahamas provides trust and company accounting each year, variously including upon request, among other things, an account of all monies received and distributed. In addition, at the request of a client, RBCTC Bahamas will, among other things, assist in the appointment of investment advisors and proposed investment houses and assist in communication with legal advisors, investment advisors and corporate formation agents. Further, as requested, RBCTC Bahamas will, among other things, exercise all duties, responsibilities and powers as set out in the documentation governing RBCTC Bahamas's appointment as trustee and attend to all day to day administrative issues.

6. Over the last several years, RBCTC Bahamas's operations have been reduced in scope. On November 4, 2015, RBCTC Bahamas announced that it had entered into a purchase and sale agreement with SMP Partners Group to sell its Trust, Custody and Fund Administration businesses in the Caribbean. This follows the announcement in November 2014 that RBC would be exiting a number of its Wealth Management businesses in the Caribbean. Upon completion of the sale and orderly transfer of the structures and assets to new providers, RBCTC Bahamas will surrender its trust license back to the Central Bank of the Bahamas. The Applicant anticipates that this process will be completed in the next 12 to 24 months. RBC represents that, even if the sale is completed, ongoing operations will still be necessary to support the remaining assets. As a result, the requested exemption will still be required.

Investigation for Tax Fraud

7. The Applicant has applied for an exemption in relation to a potential judgment of conviction against RBCTC Bahamas for aiding and abetting tax fraud, to be entered in France in the District Court of Paris, French Special Prosecutor No. 1120392066, French Investigative Judge No. JIRSIF/11/12 (the Conviction). The facts forming the basis of the Conviction reach back several years and involve investigations by French prosecutors. In January 2012, RBCTC Bahamas was summoned to appear before a French Judge of Instruction (the Investigative Judge) concerning an investigation into non-payment of French inheritance taxes by Guy Wildenstein and Alec Daniel Armand Wildenstein (the Wildensteins) following the death in 2001 of family patriarch Daniel Wildenstein. RBCTC Bahamas was placed under judicial investigation, and in December 2013, the Investigative Judge referred the case to the French national prosecutor of financial crimes (the Special Prosecutor) for a review and recommendation. In January 2015, the Special Prosecutor submitted a recommendation that RBCTC Bahamas and several others be charged with complicity in the Wildensteins' alleged tax fraud and money laundering.

8. On April 9, 2015, the Paris Court of Appeal (the Court) for the District Court of Paris issued an Order of Dismissal and Referral before the Criminal Court (the Referral Order). In the Referral Order, RBCTC Bahamas is charged with complicity in the alleged tax fraud of the Wildensteins with respect to taxes allegedly owed to France on assets held in a Bahamian trust for which RBCTC Bahamas has served as successor trustee since 2004.[6] Specifically, the Court found that the investigation produced sufficient charges against RBCTC Bahamas for having, in the Bahamas, beginning on November 19, 2004, aided and abetted tax fraud committed in Paris by Daniel Wildenstein's heirs by deliberately concealing a portion of the sums subject to French taxation on Daniel Wildenstein's estate, in particular the works of art placed in the ''Delta Trust'' of which RBCTC Bahamas was the trustee, deeds which are governed by and punishable under Articles 121–2, 121–6, 121–7, 321–1, 321–3, 321–12 of the French Criminal Code and Articles 1741 *et* 1745 of the French General Tax Code.

9. According to the Applicant, the pertinent facts that underlie these charges, as set out in the Referral Order, are as follows: on February 23, 1998, Daniel Wildenstein established a discretionary trust in the Bahamas called the Delta Trust. The Delta Trust was designed to be revocable up to the point of Daniel Wildenstein's death, then irrevocable thereafter. The Delta Trust was settled with works of art. Royal Bank of Scotland was the initial trustee of the Delta Trust. In early 2001, Royal Bank of Scotland was replaced as trustee by Coutts Trust Holdings Limited, which was succeeded by Coutts Trustees (Bahamas) Limited. On October 21, 2001, Daniel Wildenstein died in Paris. On April 28, 2002, Guy Wildenstein and his brother, Alec Wildenstein Sr., filed an inheritance tax statement in relation to the estate of their father, Daniel Wildenstein, as required by French tax laws. Guy Wildenstein and Alec Wildenstein Sr. did not disclose, in this inheritance tax statement, the existence of the Delta Trust or the existence of the assets therein. RBCTC Bahamas was appointed trustee in November of 2004, three years after Daniel Wildenstein's death and more than two years after Guy Wildenstein and Alec Wildenstein Sr. had filed their allegedly false inheritance tax statement.

10. The Applicant represents that, according to the French authorities, the existence of the Delta Trust as well as the assets of the Delta Trust should have been disclosed to the French authorities by Guy Wildenstein and by Alec Wildenstein Sr. when they filed their inheritance tax statement in 2002.[7] An inheritance tax would have followed in relation to these assets.

11. The Referral Order provides that RBCTC Bahamas actually knew, or should have known, that Daniel Wildenstein was of French nationality, and that he died in France. The Referral Order also provides that, at the least, RBCTC should have investigated in greater detail the facts in relation to Daniel Wildenstein's residency and, likewise, the tax consequences of that

[6] The Referral Order charges both of the Wildensteins with multiple counts of tax fraud, notably for failing to disclose, and pay taxes on, assets held in various trusts following the death of Daniel Wildenstein. The Wildensteins, both of whom are among the beneficiaries of the trust for which RBCTC Bahamas has served as trustee since 2004, have been charged with failing to report and pay inheritance taxes on the assets held in that trust following the death in 2001 of Daniel Wildenstein, and again in an amended filing made in 2008.

[7] The authorities allege that this disclosure should have occurred because the assets in the Delta Trust were initially revocable (*i.e.,* the assets in trust could be revoked by Daniel Wildenstein up to the time of his death). As such, the authorities state that the assets in the Delta Trust belonged to Daniel Wildenstein's estate and were therefore taxable under French tax laws.

residency. In addition, the Referral Order provides that the Delta Trust did not operate as a discretionary trust for purposes of French tax law, which would have generally required the trustee to have control over the management of the trust's assets. Among other things,[8] the Referral Order describes the existence of a management agreement between the trustee and the Wildenstein art gallery in New York as well as to the role played by the gallery as further evidence that the Delta Trust remained under the Wildenstein family's control before and after Daniel Wildenstein's death. Under the terms of the management agreement, the Wildenstein gallery was retained by the Delta Trust trustee to assist and to advise upon the management of the collection of art in trust. Finally, the Referral Order points out that RBCTC Bahamas filed an amended declaration with the Internal Revenue Service to declare the paintings in the Delta Trust which were present on U.S. territory at the time of Daniel Wildenstein's death, even though the Delta Trust was purportedly discretionary and irrevocable.

12. RBC contests it liability for aiding and abetting tax evasion. The trial commenced on January 4, 2016. On January 6, 2016, the Paris Criminal Court suspended the proceeding to probe the trial's constitutionality. The Applicant represents that the trial is scheduled to resume on September 22, 2016, and that the conviction date (if there is a conviction) is expected to be on or after October 14, 2016.

Significance of Class PTE 84–14 and the Violation of Condition I(g) of PTE 84–14

13. The Department notes that the rules set forth in section 406 of the Employee Retirement Income Security Act of 1974, as amended (ERISA) and section 4975(c) of the Internal Revenue Code of 1986, as amended (the Code) proscribe certain ''prohibited transactions'' between plans and related parties with respect to those plans, known as ''parties in interest.'' [9] Under the authority of section 408(a) of ERISA and section 4975(c)(2) of the Code, the Department has the authority to grant exemptions from such ''prohibited transactions'' in accordance with the procedures set forth in 29 CFR part 2570, subpart B (76 FR 66637, 66644, October 27, 2011).

14. Class Prohibited Transaction Exemption 84–14 (PTE 84–14) [10] exempts certain prohibited transactions between a party in interest and an ''investment fund'' (as defined in Section VI(b) of that exemption) [11] in which a plan has an interest, if the investment manager satisfies the definition of ''qualified professional asset manager'' (QPAM) and satisfies additional conditions for the exemption. PTE 84–14 was developed and granted based on the essential premise that broad relief could be afforded for all types of transactions in which a plan engages only if the commitments and the investments of plan assets and the negotiations leading thereto are the sole responsibility of an independent, discretionary, manager.[12]

15. However, Section I(g) of PTE 84–14 prevents an entity that may otherwise meet the definition of ''QPAM'' from utilizing the exemptive relief provided by PTE 84–14, for itself and its client plans, if that entity or an ''affiliate'' [13] thereof or any owner, direct or indirect, of a 5 percent or more interest in the QPAM has, within 10 years immediately preceding the transaction, been either convicted or released from imprisonment, whichever is later, as a result of certain specified criminal activity described in that section.[14] The Department notes that Section I(g) was included in PTE 84–14, in part, based on the expectation that a QPAM, and those who may be in a position to influence its policies, maintain a high standard of integrity.[15] Accordingly, in the event that RBCTC is convicted of the crimes alleged in the Referral Order, QPAMs with certain corporate relationships to RBCTC, as well as their client ERISA-covered plans and IRAs will no longer be able to rely on PTE 84–14 without an additional individual exemption issued by the Department.

The RBC QPAMs and the Failure To Comply With PTE 84–14

16. Certain current and future ''affiliates'' of RBCTC Bahamas, as that term is defined in section VI(d) of PTE 84–14, may act as QPAMs in reliance on PTE 84–14 (these entities are collectively referred to as the ''RBC QPAMs''). The primary U.S. bank and U.S. registered adviser affiliates in which RBC owns a significant interest, directly or indirectly, include the following: (1) RBC Global Asset Management (U.S.) Inc.; (2) RBC Global Asset Management (UK) Limited; (3) RBC Capital Markets, LLC; and (4) BlueBay Asset Management LLP. The Applicant also represents that there are other affiliated managers that could meet the definition of ''QPAM'' in the future, but which do not currently have ERISA or IRA clients. Additionally, there are other managers that are not currently registered as investment advisers under the Investment Advisers Act of 1940 but could become registered investment advisers in the future while managing ERISA and IRA assets and seek to use PTE 84–14 to facilitate certain transactions.

17. RBC explains that the RBC QPAMs provide asset management services to thousands of ERISA-covered plans and IRAs. In managing these assets, the RBC QPAMs regularly rely on PTE 84–14 for, among other things, global fixed income, global equities, futures, options, swaps and other derivatives, alternative funds, including hedge funds, and similar instruments and strategies. The issuing documents for many instruments contain deemed representations regarding reliance, at least partially, on PTE 84–14.

18. According to the Applicant, the investment management businesses that are operated out of the RBC QPAMs are separate from RBCTC Bahamas, and from the non-investment management business activities of RBCTC Bahamas that are the subject of criminal charges under French law. The Applicant states that RBC QPAMs have dedicated systems, management, risk and compliance officers. RBC represents that

[8] The Applicant notes that the French authorities point to a ''Letter of Wishes,'' which Daniel Wildenstein delivered to the then trustee, as evidence that the assets of the Delta Trust remained under Daniel Wildenstein's control during his lifetime.

[9] For purposes of the Summary of Facts and Representations, references to specific provisions of Title I of ERISA, unless otherwise specified, refer also to the corresponding provisions of the Code.

[10] 49 FR 9494 (March 13, 1984), as corrected at 50 FR 41430 (October 10, 1985), as amended at 70 FR 49305 (August 23, 2005), and as amended at 75 FR 38837 (July 6, 2010).

[11] An ''investment fund'' includes single customer and pooled separate accounts maintained by an insurance company, individual trusts and common, collective or group trusts maintained by a bank, and any other account or fund to the extent that the disposition of its assets (whether or not in the custody of the QPAM) is subject to the discretionary authority of the QPAM.

[12] See 75 FR 38837, 38839 (July 6, 2010).

[13] Section VI(d) of PTE 84–14 defines the term ''affiliate'' for purposes of Section I(g) as ''(1) Any person directly or indirectly through one or more intermediaries, controlling, controlled by, or under common control with the person, (2) Any director of, relative of, or partner in, any such person, (3) Any corporation, partnership, trust or unincorporated enterprise of which such person is an officer, director, or a 5 percent or more partner or owner, and (4) Any employee or officer of the person who—(A) Is a highly compensated employee (as defined in Section 4975(e)(2)(H) of the Code) or officer (earning 10 percent or more of the yearly wages of such person), or (B) Has direct or indirect authority, responsibility or control regarding the custody, management or disposition of plan assets.''

[14] For purposes of Section I(g) of PTE 84–14, a person shall be deemed to have been ''convicted'' from the date of the judgment of the trial court, regardless of whether that judgment stands on appeal.

[15] See 47 FR 56945, 56947 (December 21, 1982).

the investment management businesses of the RBC QPAMs are subject to policies and procedures, and RBC QPAM personnel engage in training, designed to ensure that such businesses understand and abide by their fiduciary duties in accordance with applicable law.

19. According to RBC, the policies and procedures create information barriers designed to prevent employees of the RBC QPAMs from gaining access to inside information that an affiliate may have acquired or developed in connection with the investment banking, treasury services or other investor services business activities. These policies and procedures apply to employees, officers, and directors of the RBC QPAMs. The Applicant also maintains an employee hotline for employees to express any concerns of wrongdoing anonymously.

Request for Relief

20. At the time of this proposed temporary exemption, RBCTC (Bahamas) has not been convicted and therefore its conduct has not been determined to be criminal.[16] Moreover, RBCTC (Bahamas) maintains that it engaged in no criminal conduct and it is mounting a defense in the French proceeding. Nevertheless, the Applicant states that if the Paris Criminal Court issues a Conviction of RBCTC Bahamas, the RBC QPAMs will be in violation of Section I(g) of PTE 84–14. In the event that the condition in Section I(g) of PTE 84–14 is violated, those asset managers can no longer rely on PTE 84–14 without a separate individual prohibited transaction exemption. Therefore, the Applicant has requested an exemption to allow the RBC QPAMs to continue to use PTE 84–14, notwithstanding such Conviction.[17]

Statutory Findings—Administratively Feasible

21. The Applicant states that the proposed exemption is administratively feasible because it does not require any monitoring by the Department. Furthermore, the exemption's limited effective duration provides the Department the opportunity to make its determination whether or not long-term exemptive relief is warranted, without causing sudden and potentially costly harm to ERISA-covered plans and IRAs.

Statutory Findings—In the Interests of Affected Plans and IRAs

22. The Applicant states that an exemption will be in the interest of the affected ERISA-covered plans and IRAs and their participants and beneficiaries. According to the Applicant, there are numerous transactions entered into by RBC QPAMs on behalf of their ERISA-covered plan and IRA clients that require the RBC QPAMs to meet the conditions in PTE 84–14. According to RBC, these include contracts entered into by RBC QPAMs on behalf of or as investment adviser for ERISA-covered plans, collective trusts and other funds subject to ERISA for certain outstanding transactions, including, but not limited to: The purchase and sale of debt and equity securities, and asset-backed securities; the purchase and sale of commodities; real estate financing and leasing arrangements; and certain derivative transactions such as futures, options, swaps, and forwards.

23. The Applicant states that, in the event that the RBC QPAMs can no longer rely on PTE 84–14, counterparties to the above transactions could seek to terminate their contracts, resulting in significant losses to their ERISA-covered plan clients. Furthermore, according to RBC, in the event the Applicant no longer qualifies for relief under the PTE 84–14, many derivatives transactions and other contractual agreements automatically and immediately could be terminated without notice or action.

24. The Applicant states that, without an exemption to continue to rely on PTE 84–14, ERISA-covered plan and IRA clients of RBC QPAMs may be required to seek other investment managers, at significant disruption and cost. RBC states that the process of transitioning to a new manager typically is lengthy, and likely would involve numerous steps each of which could last several months—including retaining a consultant, engaging in the request for proposals, negotiating contracts, and ultimately transitioning assets, as well as the transaction-related expenses incurred in connection with the purchase of securities.

25. Furthermore, the Applicant states, many of the investments of ERISA-covered plan and IRA clients managed by RBC QPAMs could be difficult to transition to a new investment manager, and the transition of certain strategies, such as transitioning from a stable value fund, could create significant disruption for 40l(k) plans. The Applicant maintains that RBC QPAMs' inability to rely upon PTE 84–14 could result in significant, unplanned redemptions from pooled funds, which would in turn frustrate the QPAMs' efforts to effectively manage the pooled funds' assets and harm remaining plan investors by increasing the expense ratios of the investment funds.

26. The Applicant believes that, depending on the strategy, the cost of liquidating assets in connection with transitioning clients to another manager could be significant. Furthermore, transaction costs may be higher in times of significant market volatility, especially with respect to certain strategies.

Fixed Income. The Applicant states that RBC QPAMs rely on PTE 84–14 when buying and selling fixed income products. As of June 30, 2015, the total portfolio of accounts managed by the RBC QPAMs that were invested in fixed income products was approximately $4.86 billion in market value. Of that total, approximately $2.82 billion consisted of ERISA-covered assets, and approximately $2.04 billion consisted of public plan assets. According to the Applicant, those accounts are invested in, for example, the following instruments pursuant to various fixed income strategies: Investment-grade bonds, leveraged finance instruments, emerging market sovereign debt, emerging market corporate debt, convertible bonds, multi-asset credit instruments, and short-duration government bonds.

Costs of Liquidating Fixed Income. According to the Applicant, if RBC QPAMs could no longer rely on PTE 84–14, a typical ERISA-covered plan or IRA client of the RBC QPAMs could suffer different liquidation costs depending on the strategy employed within fixed income. For example, investment grade bonds and emerging market sovereign debt could be liquidated for a cost of between 25–50 basis points, not including reinvestment costs. Leveraged finance and emerging market corporate debt may be more difficult to liquidate and costs may range from 50–150 basis points, not including reinvestment costs. The costs of liquidating convertible bonds could be between 50–75 basis points, and costs of liquidating multi-asset credit could be between 35–100 basis points, not including reinvestment costs.

Statutory Findings—Protective of the Rights of Participants of Affected Plans and IRAs

27. The Applicant proposed certain conditions it believes are protective of the rights of participants and beneficiaries of ERISA-covered plans and IRAs with respect to the transactions described herein. The

[16] The Applicant represents that there is an ongoing regulatory investigation into the matter in Hong Kong, but the Applicant is not aware of any indication that this investigation is leading to potential criminal indictments in Hong Kong.

[17] The Department notes that, in the event that RBCTC Bahamas is not convicted, the RBC QPAMs may continue to rely on PTE 84–14 without additional exemptive relief.

Department has determined to revise certain of those conditions, and to add certain new conditions, in order to make its required finding that the requested exemption is protective of the rights of participants and beneficiaries of affected plans and IRAs. In this regard, the Department has tentatively determined that the following conditions adequately protect the rights of participants and beneficiaries of affected plans and IRAs with respect to the transactions that would be covered by this temporary exemption, if granted.

28. Several of these conditions highlight the Department's expectation that the affected RBC QPAMs were not involved in the misconduct by RBCTC Bahamas that is the subject of the Conviction.[18] For example, relief under this proposed exemption is only available to the extent: (1) RBC QPAMs, including their officers, directors, agents other than RBC, and employees, did not know of, have reason to know of, or participate in the criminal conduct of RBCTC Bahamas that is the subject of the Conviction (for purposes of this requirement, ''participated in'' includes the knowing or tacit approval of the misconduct underlying the Conviction); [19] (2) any failure of those QPAMs to satisfy Section I(g) of PTE 84–14 arose solely from the Conviction; and (3) the RBC QPAMs (including their officers, directors, agents other than RBC, and employees of such RBC QPAMs) did not receive direct compensation, or knowingly receive indirect compensation, in connection with the criminal conduct that is the subject of the Conviction.

29. The Department expects the RBC QPAMs to rigorously ensure that the individuals associated with the criminal conduct of RBCTC Bahamas will not be employed or knowingly engaged by such QPAMs. In this regard, the temporary exemption, if granted as proposed, mandates that the RBC QPAMs will not employ or knowingly engage any of the individuals that participated in criminal conduct that is the subject of the Conviction. For purposes of this requirement, ''participated in'' includes the knowing or tacit approval of the misconduct underlying the Conviction. Further, the RBC QPAM will not use its authority or influence to direct an ''investment fund,'' (as defined in Section VI(b) of PTE 84–14) that is subject to ERISA or the Code and managed by such RBC QPAM, to enter into any transaction with RBCTC Bahamas or engage RBCTC Bahamas to provide any service to such investment fund, for a direct or indirect fee borne by such investment fund, regardless of whether such transaction or service may otherwise be within the scope of relief provided by an administrative or statutory exemption.

30. The RBC QPAMs must comply with each condition of PTE 84–14, as amended, with the sole exceptions of the violation of Section I(g) of PTE 84–14 that is attributable to the Conviction. Further, any failure of the RBC QPAMs to satisfy Section I(g) of PTE 84–14 arose solely from the Conviction.

31. No relief will be provided by the temporary exemption, if granted, to the extent that any entities holding assets that constitute the assets of an ERISA-covered plan or IRA were involved in the criminal conduct that is the subject of the Conviction. Further, no relief will be provided to the extent RBCTC Bahamas provides any discretionary asset management services to ERISA-covered plans or IRAs, or otherwise acts as a fiduciary with respect to ERISA-covered plan and IRA assets.

32. The Department believes that robust policies and training are warranted where, as here, alleged criminal misconduct has occurred within a corporate organization that is affiliated with one or more QPAMs managing plan investments in reliance on PTE 84–14. Therefore, this proposed temporary exemption, if granted, requires that each RBC QPAM must immediately develop, implement, maintain, and follow written policies (the Policies) requiring and reasonably designed to ensure that: The asset management decisions of the RBC QPAM are conducted independently of the management and business activities of RBC, including RBCTC Bahamas; the RBC QPAM fully complies with ERISA's fiduciary duties and with ERISA and the Code's prohibited transaction provisions, and does not knowingly participate in any violations of these duties and provisions with respect to ERISA-covered plans and IRAs; the RBC QPAM does not knowingly participate in any other person's violation of ERISA or the Code with respect to ERISA-covered plans and IRAs; any filings or statements made by the RBC QPAM to regulators, including but not limited to, the Department of Labor, the Department of the Treasury, the Department of Justice, and the Pension Benefit Guaranty Corporation, on behalf of ERISA-covered plans or IRAs are materially accurate and complete, to the best of such QPAM's knowledge at that time; the RBC QPAM does not make material misrepresentations or omit material information in its communications with such regulators with respect to ERISA-covered plans or IRAs, or make material misrepresentations or omit material information in its communications with ERISA-covered plan and IRA clients; and the RBC QPAM complies with the terms of this temporary exemption, if granted. Any violation of, or failure to comply with these items is corrected promptly upon discovery, and any such violation or compliance failure not promptly corrected is reported, upon discovering the failure to promptly correct, in writing, to appropriate corporate officers, the head of compliance and the General Counsel (or their functional equivalent) of the relevant RBC QPAM, and an appropriate fiduciary of any affected ERISA-covered plan or IRA where such fiduciary is independent of RBC.

33. The Department has also imposed a condition that requires each RBC QPAM to immediately develop and implement a program of training (the Training), for all relevant RBC QPAM asset/portfolio management, trading, legal, compliance, and internal audit personnel. The Training must be set forth in the Policies and at a minimum, cover the Policies, ERISA and Code compliance (including applicable fiduciary duties and the prohibited transaction provisions), ethical conduct, the consequences for not complying with the conditions of this temporary exemption, if granted (including any loss of exemptive relief provided herein), and prompt reporting of wrongdoing.

34. This temporary exemption, if granted, requires RBC QPAMs to enter into certain contractual obligations in connection with the provision of services to their clients. It is the Department's view that the condition for exemptive relief requiring these contractual obligations is essential to the Department's ability to make its findings that the proposed temporary exemption is protective of the rights of the participants and beneficiaries of ERISA-covered and IRA plan clients of RBC QPAMs under section 408(a) of ERISA. In this regard, Section I(i) of the proposed temporary exemption provides that, as of the effective date of this temporary exemption, if granted, with respect to any arrangement,

[18] The Department notes that, at the time of publication of this proposed temporary exemption, RBCTC Bahamas has not been convicted. In the event that RBCTC Bahamas is not convicted, the RBC QPAMs may continue to rely on PTE 84–14 without additional exemptive relief.

[19] The Applicant represents that, while certain other entities in the RBC corporate family were generally aware of RBCTC (Bahamas)'s responsibilities, including the administration of various trusts, no such entity was involved in the day-to-day operations of the trusts and, the alleged misconduct did not relate to the asset management services provided by the RBC QPAMs.

agreement, or contract between a RBC QPAM and an ERISA-covered plan or IRA for which a RBC QPAM provides asset management or other discretionary fiduciary services, each RBC QPAM must agree: To comply with ERISA and the Code, as applicable with respect to such ERISA-covered plan or IRA, and refrain from engaging in prohibited transactions that are not otherwise exempt (and to promptly correct any inadvertent prohibited transactions), and to comply with the standards of prudence and loyalty set forth in section 404 of ERISA with respect to each such ERISA-covered plan and IRA; to indemnify and hold harmless the ERISA-covered plan or IRA for any damages resulting from a violation of applicable laws, a breach of contract, or any claim arising out of the failure of such RBC QPAM to qualify for the exemptive relief provided by PTE 84–14 as a result of a violation of Section I(g) of PTE 84–14 other than the Conviction; not to require (or otherwise cause) the ERISA-covered plan or IRA to waive, limit, or qualify the liability of the RBC QPAM for violating ERISA or the Code or engaging in prohibited transactions; not to require the ERISA-covered plan or IRA (or sponsor of such ERISA-covered plan or beneficial owner of such IRA) to indemnify the RBC QPAM for violating ERISA or engaging in prohibited transactions, except for violations or prohibited transactions caused by an error, misrepresentation, or misconduct of a plan fiduciary or other party hired by the plan fiduciary who is independent of RBC; not to restrict the ability of such ERISA-covered plan or IRA to terminate or withdraw from its arrangement with the RBC QPAM (including any investment in a separately managed account or pooled fund subject to ERISA and managed by such QPAM), with the exception of reasonable restrictions, appropriately disclosed in advance, that are specifically designed to ensure equitable treatment of all investors in a pooled fund in the event such withdrawal or termination may have adverse consequences for all other investors as a result of an actual lack of liquidity of the underlying assets, provided that such restrictions are applied consistently and in like manner to all such investors; and not to impose any fees, penalties, or charges for such termination or withdrawal with the exception of reasonable fees, appropriately disclosed in advance, that are specifically designed to prevent generally recognized abusive investment practices or specifically designed to ensure equitable treatment of all investors in a pooled fund in the event such withdrawal or termination may have adverse consequences for all other investors, provided that such fees are applied consistently and in like manner to all such investors. Furthermore, any contract, agreement or arrangement between an RBC QPAM and its ERISA-covered plan or IRA client must not contain exculpatory provisions disclaiming or otherwise limiting liability of the RBC QPAM for a violation of such agreement's terms.

35. Within six (6) months of the date of publication of a notice of temporary exemption in the **Federal Register**, if granted, each RBC QPAM will: Provide a notice of its obligations under Section I(i) to each ERISA-covered plan and IRA for which the RBC QPAM provides asset management or other discretionary fiduciary services; and separately warrant in writing to each such ERISA-covered plan and IRA its obligations under subparagraph (1) of Section I(i).

36. Each RBC QPAM must maintain records necessary to demonstrate that the conditions of this temporary exemption, if granted, have been met for six (6) years following the date of any transaction for which such RBC QPAM relies upon the relief in the temporary exemption.

37. Furthermore, the proposed temporary exemption mandates that, during the effective period of this temporary exemption, if granted, neither RBCTC Bahamas nor any affiliate enters into a Deferred Prosecution Agreement (a DPA) or a Non-Prosecution Agreement (an NPA) with the Department of Justice, in connection with conduct described in section I(g) of PTE 84–14 or section 411 of ERISA. The Applicant represents that, with the exception of an investigation for LIBOR manipulation, RBC is not the subject of any current investigation involving criminal authorities.[20] Furthermore, the Applicant represents that RBC currently does not have a reasonable basis to believe that there are any pending criminal investigations involving RBC or any of its affiliated companies that would cause a reasonable plan or IRA customer not to hire or retain the institution as a QPAM.

38. The proposed exemption, if granted, would provide relief from certain of the restrictions set forth in Section 406 and 407 of ERISA. Such a granted exemption would not provide relief from any other violation of law, including any criminal conviction not expressly described herein. Pursuant to the terms of this proposed exemption, if granted, any criminal conviction not expressly described herein, but otherwise described in Section I(g) of PTE 84–14 and attributable to the applicant for purposes of PTE 84–14, would result in the applicant's loss of this exemption, if granted.

Summary

39. Given the revised and new conditions described above, the Department has tentatively determined that the relief sought by the Applicants satisfies the statutory requirements for an exemption under section 408(a) of ERISA.

Notice to Interested Persons

Written comments and requests for a public hearing on the proposed temporary exemption should be submitted to the Department within seven (7) days from the date of publication of this **Federal Register** Notice. Given the short comment period, the Department will consider comments received after such date, in connection with its consideration of more permanent relief.

Warning: Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments may be posted on the Internet and can be retrieved by most Internet search engines.

FOR FURTHER INFORMATION CONTACT: Ms. Anna Mpras Vaughan of the Department, telephone (202) 693–8565. (This is not a toll-free number.)

Northern Trust Corporation (Together With Its Current and Future Affiliates, Northern or the Applicant), Located in Chicago, Illinois

[Exemption Application No. D–11875]

Proposed Temporary Exemption

The Department is considering granting a temporary exemption under the authority of section 408(a) of the Employee Retirement Income Security Act of 1974, as amended, (ERISA or the Act) and section 4975(c)(2) of the Internal Revenue Code of 1986, as amended (the Code), and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (76 FR 66637, 66644, October 27, 2011).[21]

[20] The Applicant states that RBC has been the subject of demands for information from various governmental and regulatory authorities.

[21] For purposes of this proposed temporary exemption, references to section 406 of Title I of the Act, unless otherwise specified, should be read to refer as well to the corresponding provisions of section 4975 of the Code.

Section I: Covered Transactions

If the proposed temporary exemption is granted, certain entities with specified relationships to Northern Trust Fiduciary Services (Guernsey) ltd. (hereinafter, the Northern QPAMs, as further defined in Section II(b)) will not be precluded from relying on the exemptive relief provided by Prohibited Transaction Class Exemption 84–14 (PTE 84–14),[22] notwithstanding a judgment of conviction against Northern Trust Fiduciary Services (Guernsey) ltd. to be entered in France in the District Court of Paris, for aiding and abetting tax fraud (the Conviction, as further defined in Section II(a)),[23] for a period of up to twelve months beginning on the date of the Conviction (the Conviction Date), provided that the following conditions are satisfied:

(a) The Northern QPAMs (including their officers, directors, agents other than Northern, and employees of such Northern QPAMs) did not know of, have reason to know of, or participate in the criminal conduct of NTFS that is the subject of the Conviction (for purposes of this paragraph (a), ''participate in'' includes the knowing or tacit approval of the misconduct underlying the Conviction);

(b) The Northern QPAMs (including their officers, directors, agents other than Northern, and employees of such Northern QPAMs) did not receive direct compensation, or knowingly receive indirect compensation, in connection with the criminal conduct that is the subject of the Conviction;

(c) The Northern QPAMs will not employ or knowingly engage any of the individuals that participated in the criminal conduct that is the subject of the Conviction (for purposes of this paragraph (c), ''participated in'' includes the knowing or tacit approval of the misconduct underlying the Conviction);

(d) A Northern QPAM will not use its authority or influence to direct an ''investment fund,'' (as defined in Section VI(b) of PTE 84–14) that is subject to ERISA or the Code and managed by such Northern QPAM, to enter into any transaction with NTFS or engage NTFS to provide any service to such investment fund, for a direct or indirect fee borne by such investment fund, regardless of whether such transaction or service may otherwise be within the scope of relief provided by an administrative or statutory exemption;

(e) Any failure of the Northern QPAMs to satisfy Section I(g) of PTE 84–14 arose solely from the Conviction;

(f) No entities holding assets that constitute the assets of any plan subject to Part 4 of Title I of ERISA (an ERISA-covered plan) or section 4975 of the Code (an IRA) were involved in the criminal conduct that is the subject of the Conviction;

(g) NTFS has not provided nor will provide discretionary asset management services to ERISA-covered plans or IRAs, or otherwise will act as a fiduciary with respect to ERISA-covered plan and IRA assets;

(h)(1) Each Northern QPAM must immediately develop, implement, maintain, and follow written policies (the Policies) requiring and reasonably designed to ensure that:

(i) The asset management decisions of the Northern QPAM are conducted independently of the management and business activities of Northern, including NTFS and Northern's non-asset management affiliates;

(ii) The Northern QPAM fully complies with ERISA's fiduciary duties and with ERISA and the Code's prohibited transaction provisions, and does not knowingly participate in any violations of these duties and provisions with respect to ERISA-covered plans and IRAs;

(iii) The Northern QPAM does not knowingly participate in any other person's violation of ERISA or the Code with respect to ERISA-covered plans and IRAs;

(iv) Any filings or statements made by the Northern QPAM to regulators, including but not limited to, the Department of Labor, the Department of the Treasury, the Department of Justice, and the Pension Benefit Guaranty Corporation, on behalf of ERISA-covered plans or IRAs are materially accurate and complete, to the best of such QPAM's knowledge at that time;

(v) The Northern QPAM does not make material misrepresentations or omit material information in its communications with such regulators with respect to ERISA-covered plans or IRAs, or make material misrepresentations or omit material information in its communications with ERISA-covered plan and IRA clients;

(vi) The Northern QPAM complies with the terms of this temporary exemption, if granted; and

(vii) Any violation of, or failure to comply with, an item in subparagraph (ii) through (vi), is corrected promptly upon discovery, and any such violation or compliance failure not promptly corrected is reported, upon discovering the failure to promptly correct, in writing, to appropriate corporate officers, the head of compliance and the General Counsel (or their functional equivalent) of the relevant Northern QPAM, and an appropriate fiduciary of any affected ERISA-covered plan or IRA where such fiduciary is independent of Northern; however, with respect to any ERISA-covered plan or IRA sponsored by an ''affiliate'' (as defined in Section VI(d) of PTE 84–14) of Northern or beneficially owned by an employee of Northern or its affiliates, such fiduciary does not need to be independent of Northern. A Northern QPAM will not be treated as having failed to develop, implement, maintain, or follow the Policies, provided that it corrects any instance of noncompliance promptly when discovered or when it reasonably should have known of the noncompliance (whichever is earlier), and provided that it adheres to the reporting requirements set forth in this subparagraph (vii);

(2) Each Northern QPAM must immediately develop and implement a program of training (the Training), conducted at least annually, for all relevant Northern QPAM asset/portfolio management, trading, legal, compliance, and internal audit personnel. The Training must be set forth in the Policies and at a minimum, cover the Policies, ERISA and Code compliance (including applicable fiduciary duties and the prohibited transaction provisions), ethical conduct, the consequences for not complying with the conditions of this temporary exemption, if granted (including any loss of exemptive relief provided herein), and prompt reporting of wrongdoing;

(i) Effective as of the effective date of this temporary exemption, if granted, with respect to any arrangement, agreement, or contract between a Northern QPAM and an ERISA-covered plan or IRA for which a Northern QPAM provides asset management or other discretionary fiduciary services, each Northern QPAM agrees:

(1) To comply with ERISA and the Code, as applicable with respect to such ERISA-covered plan or IRA; to refrain from engaging in prohibited transactions that are not otherwise exempt (and to promptly correct any inadvertent prohibited transactions); and to comply with the standards of prudence and loyalty set forth in section 404 of ERISA

[22] 49 FR 9494 (March 13, 1984), as corrected at 50 FR 41430 (October 10, 1985), as amended at 70 FR 49305 (August 23, 2005), and as amended at 75 FR 38837 (July 6, 2010).

[23] Section I(g) of PTE 84–14 generally provides that ''[n]either the QPAM nor any affiliate thereof . . . nor any owner . . . of a 5 percent or more interest in the QPAM is a person who within the 10 years immediately preceding the transaction has been either convicted or released from imprisonment, whichever is later, as a result of'' certain felonies including income tax evasion, and aiding and abetting tax evasion.

with respect to each such ERISA-covered plan and IRA;

(2) Not to require (or otherwise cause) the ERISA-covered plan or IRA to waive, limit, or qualify the liability of the Northern QPAM for violating ERISA or the Code or engaging in prohibited transactions;

(3) Not to require the ERISA-covered plan or IRA (or sponsor of such ERISA-covered plan or beneficial owner of such IRA) to indemnify the Northern QPAM for violating ERISA or engaging in prohibited transactions, except for violations or prohibited transactions caused by an error, misrepresentation, or misconduct of a plan fiduciary or other party hired by the plan fiduciary who is independent of Northern;

(4) Not to restrict the ability of such ERISA-covered plan or IRA to terminate or withdraw from its arrangement with the Northern QPAM (including any investment in a separately managed account or pooled fund subject to ERISA and managed by such QPAM), with the exception of reasonable restrictions, appropriately disclosed in advance, that are specifically designed to ensure equitable treatment of all investors in a pooled fund in the event such withdrawal or termination may have adverse consequences for all other investors as a result of an actual lack of liquidity of the underlying assets, provided that such restrictions are applied consistently and in like manner to all such investors;

(5) Not to impose any fees, penalties, or charges for such termination or withdrawal with the exception of reasonable fees, appropriately disclosed in advance, that are specifically designed to prevent generally recognized abusive investment practices or specifically designed to ensure equitable treatment of all investors in a pooled fund in the event such withdrawal or termination may have adverse consequences for all other investors, provided that such fees are applied consistently and in like manner to all such investors;

(6) Not to include exculpatory provisions disclaiming or otherwise limiting liability of the Northern QPAM for a violation of such agreement's terms; and

(7) To indemnify and hold harmless the ERISA-covered plan or IRA for any damages resulting from a violation of applicable laws, a breach of contract, or any claim arising out of the failure of such Northern QPAM to qualify for the exemptive relief provided by PTE 84–14 as a result of a violation of Section I(g) of PTE 84–14 other than the Conviction.

Within six (6) months of the date of publication of a notice of temporary exemption in the **Federal Register**, if granted, each Northern QPAM will: Provide a notice of its obligations under this Section I(i) to each ERISA-covered plan and IRA for which a Northern QPAM provides asset management or other discretionary fiduciary services; and separately warrant in writing to each such ERISA-covered plan and IRA its obligations under subparagraph (1) of this Section I(i);

(j) The Northern QPAMs comply with each condition of PTE 84–14, as amended, with the sole exceptions of the violations of Section I(g) of PTE 84–14 that are attributable to the Conviction;

(k) Each Northern QPAM will maintain records necessary to demonstrate that the conditions of this temporary exemption, if granted, have been met, for six (6) years following the date of any transaction for which such Northern QPAM relies upon the relief in the temporary exemption, if granted;

(l) During the effective period of this temporary exemption, if granted, neither Northern nor any affiliate enters into a Deferred Prosecution Agreement (a DPA) or a Non-Prosecution Agreement (an NPA) with the U.S Department of Justice, in connection with conduct described in Section I(g) of PTE 84–14 or section 411 of ERISA; and

(m) A Northern QPAM will not fail to meet the terms of this temporary exemption, if granted, solely because a different Northern QPAM fails to satisfy a condition for relief under this temporary exemption, if granted, described in Sections I(c), (d), (h), (i), (j), and (k).

Section II: Definitions

(a) The term ''Conviction'' means the potential judgment of conviction against NTFS for aiding and abetting tax fraud to be entered in France in the District Court of Paris, French Special Prosecutor No. 1120392066, French Investigative Judge No. JIRSIF/11/12;

(b) The term ''Northern QPAM'' means a ''qualified professional asset manager'' (as defined in section VI(a) [24] of PTE 84–14) that relies on the relief provided by PTE 84–14 and with respect to which NTFS is a current or future ''affiliate'' (as defined in section VI(d) of PTE 84–14);

(c) The term ''NTFS'' means Northern Trust Fiduciary Services (Guernsey) ltd., an affiliate'' of Northern (as defined in section VI(c) of PTE 84–14) located in Guernsey;

(d) The terms ''ERISA-covered plan'' and ''IRA'' mean, respectively, a plan subject to Part 4 of Title I of ERISA and a plan subject to section 4975 of the Code; and

(e) The term ''Northern'' means Northern Trust Corporation, together with its current and future affiliates.

Effective Date: This proposed temporary exemption, if granted, will be effective for the period beginning on the Conviction Date until the earlier of: The date that is twelve months following the Conviction Date; or the effective date of a final agency action made by the Department in connection with an application for long-term exemptive relief for the covered transactions described herein.

Department's Comment: The Department is publishing this proposed temporary exemption in order to protect ERISA-covered plans and IRAs from certain costs and/or investment losses that may arise to the extent entities with a corporate relationship to NTFS lose their ability to rely on PTE 84–14 as of the Conviction Date, as described below.

The proposed exemption, if granted, would provide relief from certain of the restrictions set forth in sections 406 and 407 of ERISA. No relief from a violation of any other law would be provided by this exemption, if granted, including any criminal conviction described herein.

Furthermore, the Department cautions that the relief in this proposed exemption, if granted, would terminate immediately if, among other things, an entity within the Northern corporate structure is convicted of a crime described in Section I(g) of PTE 84–14 (other than the Conviction) during the effective period of the exemption. While such an entity could apply for a new exemption in that circumstance, the Department would not be obligated to grant the exemption. The terms of this proposed exemption have been specifically designed to permit plans to terminate their relationships in an orderly and cost effective fashion in the event of an additional conviction or a determination that it is otherwise prudent for a plan to terminate its relationship with an entity covered by the proposed exemption.

Summary of Facts and Representations

Background

1. Northern Trust Corporation (together with its current and future affiliates, Northern or the Applicant) is a financial holding company that

[24] In general terms, a QPAM is an independent fiduciary that is a bank, savings and loan association, insurance company, or investment adviser that meets certain equity or net worth requirements and other licensure requirements and that has acknowledged in a written management agreement that it is a fiduciary with respect to each plan that has retained the QPAM.

provides investment management, asset and fund administration, fiduciary, and banking services for corporations, institutions, and affluent individuals. Northern conducts business through various U.S. and non-U.S. subsidiaries, including The Northern Trust Company (the Bank), an Illinois bank headquartered in Chicago, Illinois.

2. The Bank was founded in 1889 and conducts its business through its U.S. operations, its branches in Toronto, London, Australia, Beijing, the Cayman Islands and Singapore, as well as various U.S. and non-U.S. subsidiaries. The Bank is a member of the Federal Reserve System, its deposits are insured by the Federal Deposit Insurance Corporation and it is subject to regulation by both such entities, as well as the Division of Banking of the Illinois Department of Financial and Professional Regulation.

As of December 31, 2015, Northern had a total of 16,200 active employees, including 7,990 employees of the Bank. As of the same date, Northern had consolidated assets of approximately $117 billion. Of that consolidated figure, approximately $116 billion are assets of the Bank. In addition, as of December 31, 2015, Northern had assets under custody of approximately $6.1 trillion, and assets under management of approximately $875 billion.

3. The Bank has a significant trust and custody business and acts as trustee for employee benefit plans subject to Part 4 of Title I of ERISA (ERISA-covered plans), individual retirement accounts subject to section 4975 of the Code (IRAs) and other accounts subject to ERISA or Section 4975 of the Code. The Bank also maintains ERISA-governed collective investment trusts and other commingled vehicles for investment of pension assets. Northern also has a number of direct and indirect subsidiary registered investment advisers that are subject to the Investment Advisers Act of 1940 and that provide discretionary investment management services to ERISA and IRA customers.

4. Northern Trust Fiduciary Services (Guernsey) ltd. (NTFS) is an indirect wholly-owned subsidiary of Northern. NTFS is incorporated in Guernsey, and is regulated by the Guernsey Financial Services Commission. NTFS currently provides trust and company management and administration services to international clients. NTFS currently employs 22.6 full-time equivalents, and has reported revenues of GBP 5 million (approximately $7 million) in fiscal year 2015. As of the second quarter of 2016, NTFS reported total assets under trusteeship of GBP 32 billion (approximately $ 42 billion), which includes cash, real estate, art, securities, and interests in privately held companies. NTFS is not engaged in asset management activities for, and does not act as a fiduciary of, any ERISA plan or IRA.

5. The trust and company management and administration services provided by NTFS include ongoing interaction with the settlor and beneficiaries, investment managers and advisors, and the settlor's legal counsel, among others. NTFS also may appoint individual directors that are personnel of NTFS, if required, or more commonly corporate directors (entities wholly owned by NTFS) to act as the directors of some of the underlying holding companies owned by the trusts for which NTFS acts as trustee. These companies hold assets (which could include cash, marketable securities, privately held companies, art, real estate and other property).

6. The services provided by NTFS may include the provision of corporate secretarial support for companies created by its clients. In addition, NTFS is required to keep the accounts of the trusts to which it is appointed, and may also maintain the financial records of the asset holding companies it administers.

Financial information may be provided to the settlor or beneficiaries on request, to the extent permitted by applicable law and the documentation governing NTFS' appointment.

In addition, at the request of a client or based on their fiduciary powers as trustee, NTFS will, among other things, act as directed or discretionary trustee, appoint investment advisers or managers, and exercise all duties, responsibilities and powers as set out in the documentation governing NTFS's appointment and attend to all day to day administrative issues.

NTFS operates based on internal policies and procedures of the Northern, and is subject to internal audit to ascertain compliance. NTFS is managed by a board of directors, which meets at least quarterly. In addition, the board has delegated certain powers to an Acceptance Committee for consideration of new business, a Fiduciary Committee for the review of the companies' fiduciary activities, a Discretionary Committee for consideration of the exercise of discretionary powers by NTFS as trustee and a Risk Committee for consideration and management of risks.

Investigation for Tax Fraud

7. The Applicant has applied for an exemption in relation to a potential judgment of conviction against NTFS for aiding and abetting tax fraud, to be entered in France in the District Court of Paris, French Special Prosecutor No. 1120392066, French Investigative Judge No. JIRSIF/11/12 (the Conviction). The facts forming the basis of the Conviction reach back several years and involve investigations by French prosecutors. In 2010, French prosecutors opened judicial investigations questioning whether Guy Wildenstein and Alec Daniel Armand Wildenstein (the Wildensteins), heirs to a set of trusts established by family patriarch Daniel Wildenstein, had engaged in money laundering, bankruptcy-related fraud, forgery and/or tax evasion in connection with their decision not to include trust assets in French tax filings made following Daniel Wildenstein's death in 2001. NTFS, as successor trustee to the trusts, was itself investigated by French prosecutors.

8. On April 9, 2015, the investigating authorities for the District Court of Paris issued an Order of Partial Discharge and Referral before the Criminal Court (the Referral Order). The Referral Order charges both Guy and Alec Wildenstein with several counts of tax fraud for failing to disclose, and pay taxes on, assets held in various trusts following the 2001 death of their father, Daniel Wildenstein. One of eight defendants in the Referral Order, NTFS is charged with violations of Articles 121–2, 121–6, and 121–7 of the French Criminal Code, and Articles 1741 et 1745 of the French General Tax Code for alleged complicity in the Wildensteins' alleged tax fraud based on assets held in trust for certain beneficiaries, including the Wildensteins. The portion of the case relevant to NTFS relates to assets held in two Guernsey trusts for which NTFS served as successor trustee since 1999:[25] the ''1989 Sonstrust'' (the Sons Trust) and the ''1989 Davidtrust'' (the David Trust). The trusts include properties located in Kenya, the British Virgin Islands, 740 Madison Avenue and 19 East 64th Street in New York City, shares of Wildenstein and Co Inc., and of various art galleries. The French authorities state that their investigation produced sufficient information to allege that NTFS, in Guernsey, beginning in September 1999, aided and abetted tax fraud committed in Paris by Daniel Wildenstein's heirs through the alleged concealment of a portion of the assets that the French state are subject to French estate taxes owed by the Wildensteins.

9. According to the Applicant, the pertinent facts that underlie these

[25] Northern acquired Baring Trustees (Guernsey) Limited in 2005, and thereafter renamed it NTFS.

charges, as set out in the Referral Order, are as follows: On February 23, 1989, Daniel Wildenstein established two irrevocable and discretionary trusts in Bermuda, the Sons Trust and the David Trust. Bermuda Trust Company Limited was appointed as trustee. The Sons Trust was incorporated for the benefit of the children of Daniel Wildenstein, Guy and Alec, and of his second wife, Sylvia Roth-Wildenstein. The David Trust was incorporated for the benefit of the grandchildren of Daniel Wildenstein. In September 1999, Baring Trustees (Guernsey) Limited became the trustee of these two trusts, replacing Baring Brothers (Guernsey) Limited, which had been the trustee since 1990, replacing Bermuda Trust Company Limited. The Applicant states that, in 2005, following the purchase of Baring's financial institutions group by the Northern Trust group, Baring Trustees (Guernsey) Limited became Northern Trust Fiduciary Services (Guernsey) Limited.

On October 21, 2001, Daniel Wildenstein died in Paris. On April 28, 2002, Guy Wildenstein and his brother, Alec Wildenstein Sr., filed an inheritance tax statement in relation to their father Daniel Wildenstein's estate. The statement did not identify the Sons Trust and the David Trust or the assets held by these trusts.

10. The Applicant represents that, according to the French authorities, the existence of the Sons Trust and David Trust, as well as the assets of these trusts, should have been disclosed by the Wildensteins when they filed their inheritance tax statement. The French state that these assets are subject to French taxes, and that an inheritance tax would have been imposed on these assets.

11. The Applicant represents that the French authorities' position is that the Sons Trust and David Trust contained assets that the Wildensteins were required to identify because the trusts are, in their view, non-discretionary. In this regard, the Referral Order describes the following allegations made by the French prosecutor:

- The assets placed within the trusts are held by companies, and the trustee does not have sufficient control of the companies or the assets.
- Daniel Wildenstein was co-trustee, and during his lifetime he could have asked the trustee to distribute all of the trusts' assets to the beneficiaries.
- In addition to naming a trustee, the trust deeds also named an individual to fulfill the role of ''protector'' of the trusts, a Wildenstein family attorney who was financially dependent upon the family.
- The protector permitted certain financial flows debited from the Sons Trust bank account without the trustee's consent, and these money flows were later re-characterized as loans.
- The trusts operated abnormally and there was some commingling between the trusts' assets and Daniel Wildenstein's assets.
- The trustee's fees were too low in relation to the value of the assets in the trusts, and the assets were actually managed by companies without supervision by the trustee.

12. NTFS contests its liability for aiding and abetting tax evasion. The trial commenced on January 4, 2016. On January 6, 2016, the Criminal Court of Paris suspended the proceeding to probe the trial's constitutionality. The trial resumed on September 22, 2016. The Applicant expects the trial to end on October 20, 2016.

13. The Applicant represents that on the last day of trial, the court will announce when it will render its decision (generally a few weeks later). The Applicant states that the parties will have 10 days from the conviction ruling/decision date to lodge an appeal. Further, the Applicant states that if appeals are lodged, any criminal judgment issued after the trial will remain non-final until the appellate process concludes. In addition, the Applicant states that if none of the parties lodges an appeal, the criminal judgment will be final.

Significance of Class PTE 84–14 and the Violation of Condition I(g) of PTE 84–14

14. The Department notes that the rules set forth in section 406 of the Employee Retirement Income Security Act of 1974, as amended (ERISA) and section 4975(c) of the Internal Revenue Code of 1986, as amended (the Code) proscribe certain ''prohibited transactions'' between plans and related parties with respect to those plans, known as ''parties in interest.'' [26] Under the authority of section 408(a) of ERISA and section 4975(c)(2) of the Code, the Department has the authority to grant exemptions from such ''prohibited transactions'' in accordance with the procedures set forth in 29 CFR part 2570, subpart B (76 FR 66637, 66644, October 27, 2011).

15. Class Prohibited Transaction Exemption 84–14 (PTE 84–14) [27] exempts certain prohibited transactions between a party in interest and an ''investment fund'' (as defined in Section VI(b) of that exemption) [28] in which a plan has an interest, if the investment manager satisfies the definition of ''qualified professional asset manager'' (QPAM) and satisfies additional conditions for the exemption. PTE 84–14 was developed and granted based on the essential premise that broad relief could be afforded for all types of transactions in which a plan engages only if the commitments and the investments of plan assets and the negotiations leading thereto are the sole responsibility of an independent, discretionary, manager.[29]

16. However, Section I(g) of PTE 84–14 prevents an entity that may otherwise meet the definition of ''QPAM'' from utilizing the exemptive relief provided by PTE 84–14, for itself and its client plans, if that entity or an ''affiliate'' [30] thereof or any owner, direct or indirect, of a 5 percent or more interest in the QPAM has, within 10 years immediately preceding the transaction, been either convicted or released from imprisonment, whichever is later, as a result of certain specified criminal activity described in that section.[31] The Department notes that Section I(g) was included in PTE 84–14, in part, based on the expectation that a QPAM, and those who may be in a position to influence its policies, maintain a high standard of integrity.[32] Accordingly, in the event that NTFS is convicted of the crimes alleged in the Referral Order, certain Northern asset managers that rely on the relief

[26] For purposes of the Summary of Facts and Representations, references to specific provisions of Title I of ERISA, unless otherwise specified, refer also to the corresponding provisions of the Code.

[27] 49 FR 9494 (March 13, 1984), as corrected at 50 FR 41430 (October 10, 1985), as amended at 70 FR 49305 (August 23, 2005), and as amended at 75 FR 38837 (July 6, 2010).

[28] An ''investment fund'' includes single customer and pooled separate accounts maintained by an insurance company, individual trusts and common, collective or group trusts maintained by a bank, and any other account or fund to the extent that the disposition of its assets (whether or not in the custody of the QPAM) is subject to the discretionary authority of the QPAM.

[29] See 75 FR 38837, 38839 (July 6, 2010).

[30] Section VI(d) of PTE 84–14 defines the term ''affiliate'' for purposes of Section I(g) as ''(1) Any person directly or indirectly through one or more intermediaries, controlling, controlled by, or under common control with the person, (2) Any director of, relative of, or partner in, any such person, (3) Any corporation, partnership, trust or unincorporated enterprise of which such person is an officer, director, or a 5 percent or more partner or owner, and (4) Any employee or officer of the person who—(A) Is a highly compensated employee (as defined in Section 4975(e)(2)(H) of the Code) or officer (earning 10 percent or more of the yearly wages of such person), or (B) Has direct or indirect authority, responsibility or control regarding the custody, management or disposition of plan assets.''

[31] For purposes of Section I(g) of PTE 84–14, a person shall be deemed to have been ''convicted'' from the date of the judgment of the trial court, regardless of whether that judgment stands on appeal.

[32] See 47 FR 56945, 56947 (December 21, 1982).

provided by PTE 84–14 (the Northern QPAMs) and with respect to which NTFS is a current or future ''affiliate'' (as defined in section VI(d) of PTE 84–14), as well as their client ERISA-covered plans and IRAs will no longer be able to rely on PTE 84–14 without an additional individual exemption issued by the Department.

Northern QPAMs

17. The investment management businesses that are operated out of the Northern QPAMs are separate from NTFS, and from the activities of NTFS that are the subject of criminal charges under French law. The Northern QPAMs have dedicated systems, management, risk and compliance officers. The investment management businesses of the Northern QPAMs are subject to codes of conduct, and Northern QPAM personnel engage in training, designed to ensure that such businesses understand and abide by their fiduciary duties in accordance with applicable law. The codes of conduct create information barriers designed to prevent employees of the Northern QPAMs from gaining access to inside information that an affiliate may have acquired or developed in connection with the investment banking, treasury services or other investor services business activities. These codes of conduct apply to employees, officers and directors of the Northern QPAMs. The Applicant also maintains an employee hotline for employees to anonymously express any concerns of wrongdoing.

Changes Made by Northern Since Its Acquisition of Baring Trustees (Guernsey) Limited

18. The Applicant represents that all personnel involved in taking on the Wildenstein business or that had any dealings with such matters at the time of the alleged misconduct have long since left NTFS, either before or around the time of the Northern acquisition of Baring Trustees (Guernsey) Limited in 2005 or some years before the criminal trial started.[33] Furthermore, the Applicant states that Northern's review of the files has not identified any wrongdoing on the part of current or former NTFS staff, nor are any current or former NTFS (or Baring Trustees (Guernsey) Limited) employees among the six individuals charged by the French prosecutors in connection with the Wildenstein business.

19. The Applicant represents that new policies, procedures and training came into effect since Northern's acquisition of Baring Trustees (Guernsey) Limited in 2005, several years after the events that are the subject of the French prosecution occurred. Upon becoming a part of the Northern organization, Baring Trustees (Guernsey) Limited was renamed NTFS and became subject to Northern's own internal control procedures designed to prevent improper activities. The Applicant represents that NTFS has complied (and will continue to comply) with all applicable legal and regulatory requirements, including but not limited to requirements potentially linked to the alleged conduct underlying the charges against NTFS.

The Applicant further represents that resources dedicated to maintaining risk and compliance procedures have been enhanced significantly since Northern's acquisition of Baring Trustees (Guernsey) Limited in 2005. Hundreds of new risk and compliance personnel have been hired by Northern in that period. For example, according to the Applicant, at the time of the acquisition of Baring Trustees (Guernsey) Limited (and the Wildenstein relationship) in 2005, Northern had five full-time equivalent employees handling compliance with anti-money laundering (''AML'') regulations; as of December 31, 2015 that number had increased to 78 full-time equivalent employees.

20. The Applicant represents that it maintains a system of internal controls to ensure ongoing compliance with AML and know-your-client related regulations. According to the Applicant, one of the key controls is the implementation of risk-based, comprehensive customer due diligence policies, procedures and processes for all customers, particularly those that present a high risk for money laundering or terrorist financing. Northern has also adopted Global Minimum Standards for Customer Due Diligence for its clients as a critical part of its Global AML/Economic Sanctions Compliance Program.

21. The Applicant represents that it has new systems for evaluating new clients or acquisitions. Northern represents that it assesses the money laundering and related risks of each new client relationship. Northern represents that it has developed a Global Anti-Money Laundering & Combating the Financing of Terrorism Risk Rating Policy & Methodology to evaluate new client/business relationships and assess their money laundering risk and related risks. In addition, Northern represents that it utilizes a Client Relationship Form to collect the information necessary to assess the client risk rating. Clients will initially be risk rated during the client take-on process and subsequently as the client profile changes.

Request for Relief

22. At the time of this proposed temporary exemption, NTFS has not been convicted and therefore its conduct has not been determined to be criminal. Moreover, NTFS maintains that it engaged in no criminal conduct and it is mounting a defense in the French proceeding. Nevertheless, the Applicant states that if the Paris Criminal Court issues a Conviction of NTFS, the Northern QPAMs will be in violation of Section I(g) of PTE 84–14. In the event that the condition in Section I(g) of PTE 84–14 is violated, the Northern QPAMs can no longer rely on PTE 84–14 without a separate individual prohibited transaction exemption. Therefore, the Applicant has requested an exemption to allow the Northern QPAMs to continue to use PTE 84–14, notwithstanding such Conviction.[34]

Statutory Findings—Administratively Feasible

23. The Applicant states that the proposed exemption is administratively feasible because it does not require any monitoring by the Department. Furthermore, the exemption's limited effective duration provides the Department the opportunity to make its determination whether or not long-term exemptive relief is warranted, without causing sudden and potentially costly harm to ERISA-covered plans and IRAs.

[33] The Applicant represents that no NTFS employees (or former employees of Baring Trustees (Guernsey) Limited) were investigated or charged, nor were any other corporate entities related to NTFS investigated or charged. The Applicant states that the individual who appears to have been the primary contact for the Wildenstein business after NTFS acquired Baring Trustees (Guernsey) Limited was Nigel de La Rue (a former employee of Baring Trustees (Guernsey) Limited) who is not charged in the French proceeding and who left NTFS in January 2006, shortly after the acquisition. Further, the Applicant represents that other individuals at Baring Trustees (Guernsey) Limited and NTFS assisted in managing the Wildenstein accounts, and that all personnel involved in taking on the Wildenstein business, or dealing with matters even potentially related to the alleged misconduct, have long since left the company, many before or around the time of the Northern acquisition of Baring Trustees (Guernsey) Limited in 2005. In addition, the Applicant represents that others departed NTFS in the years thereafter, before the criminal charge was levied. The Applicant confirms that none of these persons is employed by NTFS or other Northern affiliates today.

[34] The Department notes that, in the event that NTFS is not convicted, the Northern QPAMs may continue to rely on PTE 84–14 without additional exemptive relief.

Statutory Findings—In the Interests of Affected Plans and IRAs

24. The Applicant states that an exemption will be in the interest of the affected ERISA-covered plans and IRAs and their participants and beneficiaries. According to the Applicant, there are numerous transactions entered into by Northern QPAMs on behalf of their ERISA-covered plan and IRA clients that require the Northern QPAMs to meet the conditions in PTE 84–14. According to Northern, these include contracts entered into by Northern QPAMs on behalf of or as investment adviser for ERISA-covered plans, collective trusts and other funds subject to ERISA for certain outstanding transactions, including, but not limited to: the purchase and sale of debt and equity securities, and asset-backed securities; the purchase and sale of commodities; real estate financing and leasing arrangements; and certain derivative transactions such as swaps and forwards.

25. The Applicant states that, in the event that the Northern QPAMs can no longer rely on PTE 84–14, counterparties to the above transactions could seek to terminate their contracts, resulting in significant losses to their ERISA-covered plan clients. Furthermore, according to Northern, in the event the Applicant no longer qualifies for relief under the PTE 84–14, many derivatives transactions and other contractual agreements automatically and immediately could be terminated without notice or action.

26. The Applicant states that, without an exemption to continue to rely on PTE 84–14, ERISA-covered plan and IRA clients of Northern QPAMs may be required to seek other investment managers, at significant disruption and cost. Northern states that the process of transitioning to a new manager typically is lengthy, and likely would involve numerous steps each of which could last several months—including retaining a consultant, engaging in the request for proposals, negotiating contracts, and ultimately transitioning assets, as well as the transaction-related expenses incurred in connection with the purchase of securities.

27. Furthermore, the Applicant states, many of the investments of ERISA-covered plan and IRA clients managed by Northern QPAMs could be difficult to transition to a new investment manager, and the transition of certain strategies, such as transitioning from a stable value fund, could create significant disruption for 40l(k) plans. The Applicant maintains that Northern QPAMs' inability to rely upon PTE 84–14 could result in significant, unplanned redemptions from pooled funds, which would in turn frustrate the QPAMs' efforts to effectively manage the pooled funds' assets and harm remaining plan investors by increasing the expense ratios of the investment funds.

28. The Applicant believes that, depending on the strategy, the cost of liquidating assets in connection with transitioning clients to another manager could be significant. Furthermore, transaction costs may be higher in times of significant market volatility, especially with respect to certain strategies.

29. *Costs of Liquidating Fixed Income.* According to the Applicant, if Northern QPAMs could no longer rely on PTE 84–14, a typical ERISA-covered plan or IRA client of the Northern QPAMs could suffer different liquidation costs depending on the strategy employed within fixed income. For example, investment grade bonds and emerging market sovereign debt could be liquidated for a cost of between 25–50 basis points, not including reinvestment costs. Leveraged finance and emerging market corporate debt may be more difficult to liquidate and costs may range from 50–150 basis points, not including reinvestment costs. The costs of liquidating convertible bonds could be between 50–75 basis points, and costs of liquidating multi-asset credit could be between 35–100 basis points, not including reinvestment costs.

Statutory Findings—Protective of the Rights of Participants of Affected Plans and IRAs

30. The Applicant proposed certain conditions it believes are protective of the rights of participants and beneficiaries of ERISA-covered plans and IRAs with respect to the covered transactions described herein. The Department has determined to revise certain of those conditions, and to add certain new conditions, in order to make its required finding that the requested exemption is protective of the rights of participants and beneficiaries of affected plans and IRAs. In this regard, the Department has tentatively determined that the following conditions adequately protect the rights of participants and beneficiaries of affected plans and IRAs with respect to the transactions that would be covered by this temporary exemption, if granted.

31. Several of these conditions highlight the Department's expectation that the affected Northern QPAMs were not involved in the misconduct by NTFS that is the subject of the Conviction.[35] For example, relief under this proposed exemption is only available to the extent: (1) Northern QPAMs, including their officers, directors, agents other than Northern, and employees, did not know of, have reason to know of, or participate in the criminal conduct of NTFS that is the subject of the Conviction (for purposes of this requirement, ''participated in'' includes the knowing or tacit approval of the misconduct underlying the Conviction); (2) any failure of those QPAMs to satisfy Section I(g) of PTE 84–14 arose solely from the Conviction; and (3) the Northern QPAMs (including their officers, directors, agents other than Northern, and employees of such Northern QPAMs) did not receive direct compensation, or knowingly receive indirect compensation, in connection with the criminal conduct that is the subject of the Conviction.

32. The Department expects the Northern QPAMs to rigorously ensure that the individuals associated with the criminal conduct of NTFS will not be employed or knowingly engaged by such QPAMs. In this regard, the temporary exemption, if granted as proposed, mandates that the Northern QPAMs will not employ or knowingly engage any of the individuals that participated in criminal conduct that is the subject of the Conviction. For purposes of this requirement, ''participated in'' includes the knowing or tacit approval of the misconduct underlying the Conviction. Further, the Northern QPAM will not use its authority or influence to direct an ''investment fund,'' (as defined in Section VI(b) of PTE 84–14) that is subject to ERISA or the Code and managed by such Northern QPAM, to enter into any transaction with NTFS or engage NTFS to provide any service to such investment fund, for a direct or indirect fee borne by such investment fund, regardless of whether such transaction or service may otherwise be within the scope of relief provided by an administrative or statutory exemption.

33. The Northern QPAMs must comply with each condition of PTE 84–14, as amended, with the sole exceptions of the violation of Section I(g) of PTE 84–14 that is attributable to the Conviction. Further, any failure of the Northern QPAMs to satisfy Section I(g) of PTE 84–14 arose solely from the Conviction.

[35] The Department notes that, at the time of publication of this proposed temporary exemption, NTFS has not been convicted. In the event that NTFS is not convicted, the Northern QPAMs may continue to rely on PTE 84–14 without additional exemptive relief.

34. No relief will be provided by the temporary exemption, if granted, to the extent that any entities holding assets that constitute the assets of an ERISA-covered plan or IRA were involved in the criminal conduct that is the subject of the Conviction. Further, no relief will be provided to the extent NTFS provides any discretionary asset management services to ERISA-covered plans or IRAs, or otherwise acts as a fiduciary with respect to ERISA-covered plan and IRA assets.

35. The Department believes that robust policies and training are warranted where, as here, alleged criminal misconduct has occurred within a corporate organization that is affiliated with one or more QPAMs managing plan investments in reliance on PTE 84–14. Therefore, this proposed temporary exemption, if granted, requires that each Northern QPAM must immediately develop, implement, maintain, and follow written policies (the Policies) requiring and reasonably designed to ensure that: The asset management decisions of the Northern QPAM are conducted independently of the management and business activities of Northern, including NTFS and any non-asset management activities of Northern; the Northern QPAM fully complies with ERISA's fiduciary duties and with ERISA and the Code's prohibited transaction provisions, and does not knowingly participate in any violations of these duties and provisions with respect to ERISA-covered plans and IRAs; the Northern QPAM does not knowingly participate in any other person's violation of ERISA or the Code with respect to ERISA-covered plans and IRAs; any filings or statements made by the Northern QPAM to regulators, including but not limited to, the Department of Labor, the Department of the Treasury, the Department of Justice, and the Pension Benefit Guaranty Corporation, on behalf of ERISA-covered plans or IRAs are materially accurate and complete, to the best of such QPAM's knowledge at that time; the Northern QPAM does not make material misrepresentations or omit material information in its communications with such regulators with respect to ERISA-covered plans or IRAs, or make material misrepresentations or omit material information in its communications with ERISA-covered plan and IRA clients; and the Northern QPAM complies with the terms of this temporary exemption, if granted. Any violation of, or failure to comply with these items is corrected promptly upon discovery, and any such violation or compliance failure not promptly corrected is reported, upon discovering the failure to promptly correct, in writing, to appropriate corporate officers, the head of compliance and the General Counsel (or their functional equivalent) of the relevant Northern QPAM, and an appropriate fiduciary of any affected ERISA-covered plan or IRA where such fiduciary is independent of Northern.

36. The Department has also imposed a condition that requires each Northern QPAM to immediately develop and implement a program of training (the Training), for all relevant Northern QPAM asset/portfolio management, trading, legal, compliance, and internal audit personnel. The Training must be set forth in the Policies and at a minimum, cover the Policies, ERISA and Code compliance (including applicable fiduciary duties and the prohibited transaction provisions), ethical conduct, the consequences of not complying with the conditions of this temporary exemption, if granted (including any loss of exemptive relief provided herein), and prompt reporting of wrongdoing.

37. This temporary exemption, if granted, requires Northern QPAMs to enter into certain contractual obligations in connection with the provision of services to their clients. It is the Department's view that the condition for exemptive relief requiring these contractual obligations is essential to the Department's ability to make its findings that the proposed temporary exemption is protective of the rights of the participants and beneficiaries of ERISA-covered and IRA plan clients of Northern QPAMs under section 408(a) of ERISA. In this regard, Section I(i) of the proposed temporary exemption provides that, as of the effective date of this temporary exemption, if granted, with respect to any arrangement, agreement, or contract between a Northern QPAM and an ERISA-covered plan or IRA for which a Northern QPAM provides asset management or other discretionary fiduciary services, each Northern QPAM must agree: To comply with ERISA and the Code, as applicable with respect to such ERISA-covered plan or IRA, and refrain from engaging in prohibited transactions that are not otherwise exempt (and to promptly correct any inadvertent prohibited transactions), and to comply with the standards of prudence and loyalty set forth in section 404 of ERISA with respect to each such ERISA-covered plan and IRA; to indemnify and hold harmless the ERISA-covered plan or IRA for any damages resulting from a violation of applicable laws, a breach of contract, or any claim arising out of the failure of such Northern QPAM to qualify for the exemptive relief provided by PTE 84–14 as a result of a violation of Section I(g) of PTE 84–14 other than the Conviction; not to require (or otherwise cause) the ERISA-covered plan or IRA to waive, limit, or qualify the liability of the Northern QPAM for violating ERISA or the Code or engaging in prohibited transactions; not to require the ERISA-covered plan or IRA (or sponsor of such ERISA-covered plan or beneficial owner of such IRA) to indemnify the Northern QPAM for violating ERISA or engaging in prohibited transactions, except for violations or prohibited transactions caused by an error, misrepresentation, or misconduct of a plan fiduciary or other party hired by the plan fiduciary who is independent of Northern; not to restrict the ability of such ERISA-covered plan or IRA to terminate or withdraw from its arrangement with the Northern QPAM (including any investment in a separately managed account or pooled fund subject to ERISA and managed by such QPAM), with the exception of reasonable restrictions, appropriately disclosed in advance, that are specifically designed to ensure equitable treatment of all investors in a pooled fund in the event such withdrawal or termination may have adverse consequences for all other investors as a result of an actual lack of liquidity of the underlying assets, provided that such restrictions are applied consistently and in like manner to all such investors; and not to impose any fees, penalties, or charges for such termination or withdrawal with the exception of reasonable fees, appropriately disclosed in advance, that are specifically designed to prevent generally recognized abusive investment practices or specifically designed to ensure equitable treatment of all investors in a pooled fund in the event such withdrawal or termination may have adverse consequences for all other investors, provided that such fees are applied consistently and in like manner to all such investors. Furthermore, any contract, agreement or arrangement between a Northern QPAM and its ERISA-covered plan or IRA client must not contain exculpatory provisions disclaiming or otherwise limiting liability of the Northern QPAM for a violation of such agreement's terms.

38. Within six (6) months of the date of publication of a notice of temporary exemption in the **Federal Register**, if granted, each Northern QPAM will: Provide a notice of its obligations under Section I(i) to each ERISA-covered plan and IRA for which the Northern QPAM

provides asset management or other discretionary fiduciary services; and Separately warrant in writing to each such ERISA-covered plan and IRA its obligations under subparagraph (1) of Section I(i).

39. Each Northern QPAM must maintain records necessary to demonstrate that the conditions of this temporary exemption, if granted, have been met for six (6) years following the date of any transaction for which such Northern QPAM relies upon the relief in the temporary exemption.

40. Furthermore, the proposed temporary exemption mandates that, during the effective period of this temporary exemption, if granted, neither NTFS nor any affiliate enters into a Deferred Prosecution Agreement (a DPA) or a Non-Prosecution Agreement (an NPA) with the Department of Justice, in connection with conduct described in section I(g) of PTE 84–14 or section 411 of ERISA. The Applicant represents that, to the best of its knowledge, Northern has not, within the past 13 years, been convicted of any crime described in section 411 of ERISA, nor has it been under investigation for any such crime. Furthermore, the Applicant represents that Northern currently does not have a reasonable basis to believe that there are any pending criminal investigations involving Northern or any of its affiliated companies that would cause a reasonable plan or IRA customer not to hire or retain the institution as a QPAM.

Summary

41. Given the revised and new conditions described above, the Department has tentatively determined that the relief sought by the Applicants satisfies the statutory requirements for an exemption under section 408(a) of ERISA.

Notice to Interested Persons

Written comments and requests for a public hearing on the proposed temporary exemption should be submitted to the Department within seven (7) days from the date of publication of this **Federal Register** Notice. Given the short comment period, the Department will consider comments received after such date, in connection with its consideration of more permanent relief.

Warning: Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments may be posted on the Internet and can be retrieved by most Internet search engines.

FOR FURTHER INFORMATION CONTACT: Ms. Anna Mpras Vaughan of the Department, telephone (202) 693–8565. (This is not a toll-free number.)

Proposed Extension of PTE 2015–15 Involving Deutsche Bank AG (Deutsche Bank), Located in Frankfurt, Germany

[Exemption Application No. D–11879]

Proposed Exemption

The Department is considering granting an exemption under the authority of section 408(a) of the Employee Retirement Income Security Act of 1974, as amended (ERISA or the Act) and section 4975(c)(2) of the Internal Revenue Code of 1986, as amended (the Code) and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (76 FR 66637, 66644, October 27, 2011).[36]

Section I: Covered Transactions

If the Proposed Extension is granted, certain asset managers with specified relationships to Deutsche Bank (hereinafter, the DB QPAMs, as further defined in Section II(b)) shall not be precluded from relying on the exemptive relief provided by Prohibited Transaction Exemption (PTE) 84–14,[37] notwithstanding a judgment of conviction against Deutsche Securities Korea Co., a South Korean affiliate of Deutsche Bank (hereinafter, DSK, as further defined in Section II(c)), entered on January 25, 2016 (the Korean Conviction, as further defined in Section II(a)),[38] provided that the following conditions are satisfied:

(a) The DB QPAMs (including their officers, directors, agents other than Deutsche Bank, and employees of such DB QPAMs) did not know of, have reason to know of, or participate in the criminal conduct of DSK that is the subject of the Korean Conviction;

(b) Any failure of the DB QPAMs to satisfy Section I(g) of PTE 84–14 arose solely from the Korean Conviction;

(c) The DB QPAMs (including their officers, directors, agents other than Deutsche Bank, and employees of such DB QPAMs) did not receive direct compensation, or knowingly receive indirect compensation, in connection with the criminal conduct that is the subject of the Conviction;

(d) A DB QPAM will not use its authority or influence to direct an ''investment fund'' (as defined in Section VI(b) of PTE 84–14) that is subject to ERISA and managed by such DB QPAM to enter into any transaction with DSK or engage DSK to provide additional services to such investment fund, for a direct or indirect fee borne by such investment fund regardless of whether such transactions or services may otherwise be within the scope of relief provided by an administrative or statutory exemption;

(e)(1) Each DB QPAM maintains and follows written policies (the Policies) requiring and reasonably designed to ensure that: (i) The asset management decisions of the DB QPAM are conducted independently of Deutsche Bank's management and business activities; (ii) the DB QPAM fully complies with ERISA's fiduciary duties and ERISA and the Code's prohibited transaction provisions and does not knowingly participate in any violations of these duties and provisions with respect to ERISA-covered plans and IRAs; (iii) the DB QPAM does not knowingly participate in any other person's violation of ERISA or the Code with respect to ERISA-covered plans and IRAs; (iv) any filings or statements made by the DB QPAM to regulators, including but not limited to, the Department of Labor, the Department of the Treasury, the Department of Justice, and the Pension Benefit Guaranty Corporation, on behalf of ERISA-covered plans or IRAs are materially accurate and complete, to the best of such DB QPAM's knowledge at that time; (v) the DB QPAM does not make material misrepresentations or omit material information in its communications with such regulators with respect to ERISA-covered plans or IRAs, or make material misrepresentations or omit material information in its communications with ERISA-covered plan and IRA clients; (vi) the DB QPAM complies with the terms of this exemption, if granted; and (vii) any violations of or failure to comply with items (ii) through (vi) are corrected promptly upon discovery and any such violations or compliance failures not promptly corrected are reported, upon discovering the failure to promptly correct, in writing to appropriate corporate officers, the head

[36] For purposes of this proposed exemption, references to the provisions of Title I of the Act, unless otherwise specified, refer also to the corresponding provisions of the Code.

[37] 49 FR 9494 (March 13, 1984), as corrected at 50 FR 41430 (October 10, 1985), as amended at 70 FR 49305 (August 23, 2005), and as amended at 75 FR 38837 (July 6, 2010).

[38] Section I(g) of PTE 84–14 generally provides that ''[n]either the QPAM nor any affiliate thereof . . . nor any owner . . . of a 5 percent or more interest in the QPAM is a person who within the 10 years immediately preceding the transaction has been either convicted or released from imprisonment, whichever is later, as a result of'' certain felonies including income tax evasion and conspiracy or attempt to commit income tax evasion.

of Compliance and the General Counsel of the relevant DB QPAM (or their functional equivalent), the independent auditor responsible for reviewing compliance with the Policies, and an appropriate fiduciary of any affected ERISA-covered plan or IRA that is independent of Deutsche Bank; however, with respect to any ERISA-covered plan or IRA sponsored by an ''affiliate'' (as defined in Section VI(d) of PTE 84–14) of Deutsche Bank or beneficially owned by an employee of Deutsche Bank or its affiliates, such fiduciary does not need to be independent of Deutsche Bank. DB QPAMs will not be treated as having failed to develop, implement, maintain, or follow the Policies, provided that they correct any instances of noncompliance promptly when discovered or when they reasonably should have known of the noncompliance (whichever is earlier), and provided that they adhere to the reporting requirements set forth in this item (vii);

(2) Each DB QPAM maintains and follows a program of training (the Training), conducted during the effective period of this exemption, if granted, for relevant DB QPAM asset management, legal, compliance, and internal audit personnel; the Training must be set forth in the Policies and, at a minimum, cover the Policies, ERISA and Code compliance (including applicable fiduciary duties and the prohibited transaction provisions) and ethical conduct, the consequences for not complying with the conditions of this Proposed Extension, (including the loss of the exemptive relief provided therein), and prompt reporting of wrongdoing;

(f)(1) Each DB QPAM submits to an audit conducted by an independent auditor, who has been prudently selected and who has appropriate technical training and proficiency with ERISA and the Code to evaluate the adequacy of, and compliance with, the Policies and Training described herein; the audit requirement must be incorporated in the Policies. The audit must cover the period of time during which this Proposed Extension, if granted, is effective, and must be completed no later than three (3) months after the period to which the audit applies;

(2) To the extent necessary for the auditor, in its sole opinion, to complete its audit and comply with the conditions for relief described herein, and as permitted by law, each DB QPAM and, if applicable, Deutsche Bank, will grant the auditor unconditional access to its business, including, but not limited to: Its computer systems, business records, transactional data, workplace locations, training materials, and personnel;

(3) The auditor's engagement must specifically require the auditor to determine whether each DB QPAM has developed, implemented, maintained, and followed Policies in accordance with the conditions of this Proposed Extension, if granted, and developed and implemented the Training, as required herein;

(4) The auditor's engagement shall specifically require the auditor to test each DB QPAM's operational compliance with the Policies and Training. In this regard, the auditor must test a sample of the QPAM's transactions involving ERIXA-covered plans and IRAs sufficient in size and nature to afford the auditor a reasonable basis to determine the operational compliance with the Policies and Training;

(5) On or before the end of the period described in Section I(f)(1) for completing the audit, the auditor must issue a written report (the Audit Report) to Deutsche Bank and the DB QPAM to which the audit applies that describes the procedures performed by the auditor during the course of its examination. The Audit Report must include the auditor's specific determinations regarding the adequacy of, and compliance with, the Policies and Training; the auditor's recommendations (if any) with respect to strengthening such Policies and Training; and any instances of the respective DB QPAM's noncompliance with the written Policies and Training described in paragraph (e) above. Any determinations made by the auditor regarding the adequacy of the Policies and Training and the auditor's recommendations (if any) with respect to strengthening the Policies and Training of the respective DB QPAM must be promptly addressed by such DB QPAM, and any actions taken by such DB QPAM to address such recommendations must be included in an addendum to the Audit Report. Any determinations by the auditor that the respective DB QPAM has maintained and followed sufficient Policies and Training shall not be based solely or in substantial part on an absence of evidence indicating noncompliance. In this last regard, any finding that the DB QPAM has complied with the requirements under this subsection must be based on evidence that demonstrates the DB QPAM has actually maintained and followed the Policies and Training required by this Proposed Extension, if granted, and not solely on a lack of evidence that the DB QPAM has violated ERISA;

(6) The auditor shall notify the respective DB QPAM of any instances of noncompliance identified by the auditor within five (5) business days after such noncompliance is identified by the auditor, regardless of whether the audit has been completed as of that date;

(7) With respect to each Audit Report, the General Counsel or one of the three most senior executive officers of the DB QPAM to which the Audit Report applies certifies in writing, under penalty of perjury, that the officer has reviewed the Audit Report and this Proposed Extension, if granted; addressed, corrected, or remedied any inadequacies identified in the Audit Report; and determined that the Policies and Training in effect at the time of signing are adequate to ensure compliance with the conditions of this Proposed Extension and with the applicable provisions of ERISA and the Code;

(8) An executive officer of Deutsche Bank reviews the Audit Report for each DB QPAM and certifies in writing, under penalty of perjury, that such officer has reviewed each Audit Report;

(9) Each DB QPAM provides its certified Audit Report to the Department's Office of Exemption Determinations (OED), 200 Constitution Avenue NW., Suite 400, Washington, DC 20210, no later than 30 days following its completion, and each DB QPAM makes its Audit Report unconditionally available for examination by any duly authorized employee or representative of the Department, other relevant regulators, and any fiduciary of an ERISA-covered plan or IRA, the assets of which are managed by such DB QPAM;

(10) Each DB QPAM and the auditor will submit to OED (A) any engagement agreement(s) entered into pursuant to the engagement of the auditor under this Proposed Extension, and (B) any engagement agreement entered into with any other entities retained in connection with such QPAM's compliance with the Training or Policies conditions of this Proposed Extension, no later than three (3) months after the date of the Korean Conviction (and one month after the execution of any agreement thereafter);

(11) The auditor shall provide OED, upon request, all of the workpapers created and utilized in the course of the audit, including, but not limited to: The audit plan, audit testing, identification of any instances of noncompliance by the relevant DB QPAM, and an explanation of any corrective or remedial actions taken by the applicable DB QPAM; and

(12) Deutsche Bank must notify the Department at least 30 days prior to any substitution of an auditor, except that no such replacement will meet the requirements of this paragraph unless and until Deutsche Bank demonstrates to the Department's satisfaction that such new auditor is independent of Deutsche Bank, experienced in the matters that are the subject of the Proposed Extension, and capable of making the determinations required of this Proposed Extension.

Notwithstanding the above, this audit requirement will be deemed met to the extent the Department issues more permanent relief that expressly revises this paragraph (f), and the terms of such new audit requirement have been met;

(g) With respect to each ERISA-covered plan or IRA for which a DB QPAM provides asset management or other discretionary fiduciary services, each DB QPAM agrees: (1) To comply with ERISA and the Code, as applicable with respect to such ERISA-covered plan or IRA, and refrain from engaging in prohibited transactions that are not otherwise exempt; (2) not to waive, limit, or qualify the liability of the DB QPAM for violating ERISA or the Code or engaging in prohibited transactions; (3) not to require the ERISA-covered plan or IRA (or sponsor of such ERISA-covered plan or beneficial owner of such IRA) to indemnify the DB QPAM for violating ERISA or engaging in prohibited transactions, except for violations or prohibited transactions caused by an error, misrepresentation, or misconduct of a plan fiduciary or other party hired by the plan fiduciary who is independent of Deutsche Bank; (4) not to restrict the ability of such ERISA-covered plan or IRA to terminate or withdraw from its arrangement with the DB QPAM, with the exception of reasonable restrictions, appropriately disclosed in advance, that are specifically designed to ensure equitable treatment of all investors in a pooled fund in the event such withdrawal or termination may have adverse consequences for all other investors, provided that such restrictions are applied consistently and in like manner to all such investors; and (5) not to impose any fees, penalties, or charges for such termination or withdrawal with the exception of reasonable fees, appropriately disclosed in advance, that are specifically designed to prevent generally recognized abusive investment practices or specifically designed to ensure equitable treatment of all investors in a pooled fund in the event such withdrawal or termination may have adverse consequences for all other investors, provided that such fees are applied consistently and in like manner to all such investors. Within two (2) months of the date of publication of a notice of exemption in the **Federal Register**, if granted, each DB QPAM will provide a notice to such effect to each ERISA-covered plan or IRA for which a DB QPAM provides asset management or other discretionary fiduciary services, unless such notice was previously provided consistent with PTE 2015–15;

(h) Each DB QPAM will maintain records necessary to demonstrate that the conditions of this Proposed Extension, if granted, have been met, for six (6) years following the date of any transaction for which such DB QPAM relies upon the relief in the Proposed Extension;

(i) The DB QPAMs comply with each condition of PTE 84–14, as amended, with the sole exception of the violation of Section I(g) that is attributable to the Korean Conviction;

(j) The DB QPAMs will not employ any of the individuals that engaged in the spot/futures-linked market manipulation activities that led to the Korean Conviction;

(k) Deutsche Bank disgorged all of its profits generated by the spot/futures-linked market manipulation activities of DSK personnel that led to the Korean Conviction;

(l) Deutsche Bank imposes internal procedures, controls, and protocols on DSK designed to reduce the likelihood of any recurrence of the conduct that is the subject of the Korean Conviction, to the extent permitted by local law;

(m) DSK has not, and will not, provide fiduciary or QPAM services to ERISA-covered Plans or IRAs, and will not otherwise exercise discretionary control over plan assets;

(n) No DB QPAM is a subsidiary of DSK, and DSK is not a subsidiary of any DB QPAM;

(o) The criminal conduct of DSK that is the subject of the Korean Conviction did not directly or indirectly involve the assets of any plan subject to Part 4 of Title I of ERISA or section 4975 of the Code; and

(p) A DB QPAM will not fail to meet the terms of this Proposed Extension solely because a different DB QPAM fails to satisfy the conditions for relief under this Proposed Extension described in Sections I(d), (e), (f), (g), (h), (i) and (j).

Section II: Definitions

(a) The term ''Korean Conviction'' means the judgment of conviction against DSK entered on January 25, 2016, in Seoul Central District Court, relating to charges filed against DSK under Articles 176, 443, and 448 of South Korea's Financial Investment Services and Capital Markets Act for spot/futures-linked market price manipulation;

(b) The term ''DB QPAM'' means a ''qualified professional asset manager'' (as defined in section VI(a) [39] of PTE 84–14) that relies on the relief provided by PTE 84–14 and with respect to which DSK is a current or future ''affiliate'' (as defined in section VI(d) of PTE 84–14). For purposes of this Proposed Extension, if granted, Deutsche Bank Securities, Inc. (DBSI), including all entities over which it exercises control; and Deutsche Bank AG, including all of its branches, are excluded from the definition of a DB QPAM; and

(c) The term ''DSK'' means Deutsche Securities Korea Co., a South Korean ''affiliate'' of Deutsche Bank (as the term ''affiliate'' is defined in section VI(c) of PTE 84–14).

Effective Date: If granted, this Proposed Extension will be effective for the period beginning October 24, 2016 and ending on the earlier of: April 23, 2017 or the effective date of a final agency action made by the Department in connection with Exemption Application No. D–11856.[40]

Summary of Facts and Representations

Background

1. On October 11, 2011, Deutsche Bank AG (Deutsche Bank) submitted Exemption Application No. D–11696 (the First Request), to allow certain asset managers with specified relationships to Deutsche Bank (the DB QPAMs) to continue to utilize the relief set forth in Prohibited Transaction Exemption (PTE) 84–14,[41] notwithstanding the failure of those entities to meet the requirement set forth in Section I(g) of PTE 84–14 as a result of the pending conviction in Seoul Central District Court (the Korean Court), against Deutsche Securities Korea Co. (DSK) for spot/futures-linked market price manipulation (the Korean Conviction).[42] While the Department

[39] In general terms, a QPAM is an independent fiduciary that is a bank, savings and loan association, insurance company, or investment adviser that meets certain equity or net worth requirements and other licensure requirements and that has acknowledged in a written management agreement that it is a fiduciary with respect to each plan that has retained the QPAM.

[40] In this regard, as noted below, the Applicant has requested substantially similar relief to the relief described herein, but on a more permanent basis.

[41] 49 FR 9494 (March 13, 1984), as corrected at 50 FR 41430 (October 10, 1985), as amended at 70 FR 49305 (August 23, 2005), and as amended at 75 FR 38837 (July 6, 2010).

[42] Section I(g) generally provides that ''[n]either the QPAM nor any affiliate thereof . . . nor any owner . . . of a 5 percent or more interest in the

Continued

was considering the First Request, Deutsche Investment Management Americas Inc. (DIMA) and the current and future asset management affiliates of Deutsche Bank, submitted Exemption Application No. D–11856 (the Second Request) to allow the DB QPAMs to continue to rely on PTE 84–14 for a period of ten years, notwithstanding both the Korean Conviction and the anticipated criminal conviction of a Deutsche Bank affiliate, DB Group Services UK Limited, for one count of wire fraud in connection with its alleged role in manipulating LIBOR.

2. In a letter dated July 16, 2015, the Department informed DIMA and Deutsche Bank that it was tentatively denying the Second Request, upon tentatively determining that the requested exemption was not in the interest of affected plans and IRAs, and not protective of those plans and IRAs. The Department held a Tentative Denial conference with representatives of Deutsche Bank on November 9, 2015 and has since requested and received additional information in respect of the Second Request.

3. Although the Department tentatively denied the Second Request, the First Request, which requested an exemption from Section I(g) of PTE 84–14 in connection with only the Korean Conviction, was still pending with the Department. When the Korean Conviction appeared imminent, the Department published a proposed temporary exemption (the First Proposal) in the **Federal Register** at 80 FR 51314. As noted in the preamble to the proposed exemption, affected plans and IRAs may have incurred substantial harm absent such relief; DB QPAMs were not aware of, and did not participate in, the conduct that gave rise to the Korean Conviction; and the conditions set forth in the exemption represented significant enhancements for plans and IRAs with assets managed by certain DB QPAMs.

The Department finalized the First Proposal on September 4, 2015, with an effective period of nine months following the Korean Conviction (PTE 2015–15, 80 FR 53574).[43] The Korean Conviction was entered by the Korean Court on January 25, 2016. As such, PTE 2015–15 is effective from January 25, 2016 until October 24, 2016.

4. The Department now proposes to temporarily extend the relief (the Proposed Extension) provided in PTE 2015–15 from October 24, 2016 until the earlier of April 23, 2017, or the effective date of an exemption that is granted in respect of Exemption Application No. D–11856, if any. The Proposed Extension, if granted, will enable the Department to accommodate a more complete review of the voluminous records submitted in connection with the Second Request and consider whether or not a longer term exemption is appropriate.

Statutory Findings

5. The Department is proposing this extension based on the same findings the Department made regarding PTE 2015–15. In this regard, the Department has tentatively determined that limited exemptive relief is in the interest of ERISA-covered plans and IRAs managed by the DB QPAMs. The Department is concerned that, absent such relief, plans and IRAs would incur costs in: Searching for new managers; issuing requests for proposals; conducting due diligence (including meetings with potential managers and credit analysts); seeking investment committee approvals and negotiating; and/or drafting new investment management agreements, investment guidelines and related trading documentation with broker-dealers and other counterparties. Deutsche Bank has suggested that the selection of new managers could potentially take several months or longer, resulting in a number of collateral costs including the opportunity costs of missed investments, lower returns from investing in cash pending long term reinvestment, fewer trading counterparties and more limited or costly temporary investment alternatives.

The Department is also taking into consideration Deutsche Bank's prior representations that: ERISA-covered plans and IRAs would incur direct transaction costs in liquidating and reinvesting their portfolios, ranging from 2.5 to 25 basis points (excluding core real estate), resulting in approximately $5 to $7 million in expenses; and liquidating certain direct real estate portfolios may result in portfolio discounts of 10–20% of gross asset value, along with 30 to 100 basis points in direct transaction costs, resulting in an estimated total cost to plan investors of between $281 million and $723 million, depending on the liquidation period.

6. The Department has tentatively determined that this Proposed Extension is sufficient to protect affected plans and IRAs in light of the conditions herein and the temporary nature of this extension, if granted. The conditions described herein are essentially the same conditions set forth in PTE 2015–15. For example, each DB QPAM must continue to maintain and follow the robust written policies (the Policies) and training requirements (the Training) developed under PTE 2015–15. The Policies, which are described in more detail in the operative language of the Proposed Extension below, are generally designed to, among other things: Ensure the independence of the DB QPAMs from Deutsche Bank and its other affiliates such as DSK; require the strict legal compliance of the DB QPAMs with ERISA, the Code and the prohibited transaction rules; ensure truthfulness and transparency with respect to statements made by DB QPAMs to regulators; and ensure compliance with the terms of this exemption, if granted. The Training, which is also described in more detail in the operative language of the Proposed Extension below, is designed to cover the Policies, ERISA and Code compliance, ethical conduct, the consequences for not complying with the conditions of this Proposed Extension, and prompt reporting of wrongdoing.

In order to verify the DB QPAMs' compliance with the Policies and Training requirements of the Proposed Extension, and the conditions for relief, each DB QPAM must submit to an audit conducted by an independent auditor, prudently selected, who has appropriate technical training and proficiency with ERISA to evaluate the adequacy of, and compliance with, the Policies and Training, and the conditions for relief described herein. Furthermore, to the extent necessary for the auditor, in its sole opinion, to complete its audit and comply with the conditions for relief described herein, each DB QPAM and, if applicable, Deutsche Bank, must grant the auditor unconditional access to its business, including, but not limited to: Its computer systems, business records, transactional data, workplace locations, training materials, and personnel. The auditor's engagement shall specifically require the auditor to determine whether each DB QPAM has developed, implemented, maintained, and followed Policies in accordance with the conditions of this Proposed Extension, if granted, and developed and implemented the Training, as required herein, and it shall specifically require

QPAM is a person who within the 10 years immediately preceding the transaction has been either convicted or released from imprisonment, whichever is later, as a result of'' certain felonies including income tax evasion and conspiracy or attempt to commit income tax evasion.

[43] For a more complete statement of the facts and representations concerning Deutsche Bank, DSK, and the circumstances surrounding the Korean Conviction, refer to the First Proposal.

the auditor to test each DB QPAM's operational compliance with the Policies and Training.

Furthermore, the auditor must issue a written report (the Audit Report) to Deutsche Bank and the DB QPAM to which the audit applies that describes the procedures performed by the auditor during the course of its examination. The Audit Report must include the auditor's specific determinations regarding: The adequacy of, and compliance with, the Policies and Training; the auditor's recommendations (if any) with respect to strengthening such Policies and Training; and any instances of the respective DB QPAM's noncompliance with the written Policies and Training described above. Furthermore, any determination by the auditor regarding the adequacy of the Policies and Training and the auditor's recommendations (if any) with respect to strengthening the Policies and Training of the respective DB QPAM must be promptly addressed by such DB QPAM, and any actions taken by such DB QPAM to address such recommendations must be included in an addendum to the Audit Report. The auditor is required to notify the respective DB QPAM of any instances of noncompliance identified by the auditor. The General Counsel or one of the three most senior executive officers of the DB QPAM to which the Audit Report applies must certify in writing, under penalty of perjury, that the officer has reviewed the Audit Report and, if granted, this Proposed Extension; addressed, corrected, or remedied any inadequacies identified in the Audit Report; and determined that the Policies and Training in effect at the time of signing are adequate to ensure compliance with the conditions of the Proposed Extension and with the applicable provisions of ERISA and the Code. Moreover, an executive officer of Deutsche Bank must review the Audit Report for each DB QPAM and certify in writing, under penalty of perjury, that such officer has reviewed each Audit Report.

The audit must: Span the period of time covered by this Proposed Extension, if granted; be completed within three months days from the end of the period to which it relates; and be submitted to the Department within 30 days from date the audit is completed. These requirements may be enhanced or changed if subsequent exemptive relief is granted. The DB QPAMs must give the Department copies of the auditor's workpapers upon request. In addition, Deutsche Bank must notify the Department at least 30 days prior to any substitution of the auditor, and must demonstrate to the Department's satisfaction that the replacement auditor is independent of Deutsche Bank, experienced in the matters that are the subject of the Proposed Extension, and capable of making the determinations required of this Proposed Extension.

Under the terms of the Proposed Extension, if granted, the DB QPAMs must agree to certain terms and undertakings with each ERISA-covered plan or IRA for which a DB QPAM provides asset management or other discretionary fiduciary services, including, generally: (1) Compliance with ERISA and the Code and avoidance of non-exempt prohibited transactions; (2) not to waive, limit, or qualify certain liabilities of the DB QPAM; (3) not to require indemnification of the DB QPAM for violating ERISA or engaging in prohibited transactions; and (4) with minor exceptions, not to restrict the ability of ERISA-covered plan or IRA clients to terminate or withdraw from their arrangement with the DB QPAM or, to impose any fees, penalties, or charges for such termination or withdrawal. Each DB QPAM will provide a notice describing the above-described terms and undertakings to each such ERISA-covered plan or IRA within two (2) months of the date of publication of a notice of extension in the **Federal Register**, if granted, unless such notice was previously provided consistent with PTE 2015–15.

Under the terms of this Proposed Extension, each DB QPAM must: Maintain records necessary to demonstrate that the conditions herein have been met, for six (6) years following the date of any transaction for which such DB QPAM relies upon the relief in the Proposed Extension, if granted; comply with each condition of PTE 84–14, as amended, with the sole exception of the violation of Section I(g) that is attributable to the Korean Conviction; ensure that none of the individuals that engaged in the conduct that led to the Korean Conviction are employed by the DB QPAM; and provide a notice of the Proposed Extension, and if granted, a notice of final extension of PTE 2015–15, along with a separate summary (which has been submitted to the Department) describing the facts that led to the Korean Conviction, and a prominently displayed statement that the Korean Conviction results in a failure to meet a condition in PTE 84–14 to each sponsor of an ERISA-covered plan and each beneficial owner of an IRA invested in an investment fund managed by a DB QPAM, or the sponsor of an investment fund in any case where a DB QPAM acts only as a sub-advisor to the investment fund.

Lastly, regarding the DB QPAMs, relief under this Proposed Extension, if granted, is only available to the extent the QPAMs covered by this Proposed Extension, as defined in Section II of this Extension, including their officers, directors, agents other than Deutsche Bank, and employees, did not know of, have reason to know of, or participate in the criminal conduct of DSK that is the subject of the Korean Conviction; any failure of those QPAMs to satisfy Section I(g) of PTE 84–14 arose solely from the Korean Conviction; such QPAMs did not directly receive compensation, or knowingly receive indirect compensation, in connection with, the criminal conduct that is the subject of the Korean Conviction; and none of those QPAMs will use its authority or influence to direct an ''investment fund'' (as defined in Section VI(b) of PTE 84–14) that is subject to ERISA and managed by such DB QPAM to enter into any transaction with DSK, or engage DSK to provide additional services to such investment fund, for a direct or indirect fee borne by such investment fund, regardless of whether such transactions or services may otherwise be within the scope of relief provided by an administrative or statutory exemption.

Regarding conditions herein directed at Deutsche Bank, prior to engaging in a transaction covered by this Proposed Extension, if granted, Deutsche Bank must have previously disgorged all of its profits generated from exercising derivative positions and put options in connection with the activity associated with the Korean Conviction. Deutsche Bank must have also previously imposed internal procedures, controls, and protocols on DSK designed to reduce the likelihood of any recurrence of the conduct that is the subject of the Korean Conviction, to the extent permitted by local law.

Regarding conditions herein aimed at DSK, DSK may not provide fiduciary services to ERISA-covered Plans or IRAs, or otherwise exercise discretionary control over plan assets. Further, none of the DB QPAMs may be subsidiaries of DSK, and DSK may not be a subsidiary of any of the DB QPAMs. Finally, the criminal conduct of DSK that is the subject of the Korean Conviction must not have directly or indirectly involved the assets of any plan subject to Part 4 of Title I of ERISA or section 4975 of the Code.

The Proposed Extension, if granted, will not apply to Deutsche Bank

Securities, Inc. (DBSI).[44] Section I(a) of PTE 2015–15, as well as this Proposed Extension, requires that ''DB QPAMs (including their officers, directors, agents other than Deutsche Bank, and employees of such DB QPAMs) did not know of, have reason to know of, or participate in the criminal conduct of DSK that is the subject of the Conviction.'' In a letter to the Department dated July 15, 2016, Deutsche Bank raised the possibility that an individual,[45] while employed at DBSI, may have known or had reason to know of the criminal conduct of DSK that is the subject of the Korean Conviction. In a letter to the Department dated August 19, 2016, Deutsche Bank further clarified that ''there is no evidence that anyone at DBSI other than Mr. Ripley knew in advance of the trades conducted by the Absolute Strategy Group on November 11, 2010.'' Deutsche Bank states that it had previously interpreted Section I(a) of PTE 2015–15 as requiring only that ''any current director, officer or employee did not know of, have reason to know of, or participate in the conduct.'' The Department notes that Deutsche Bank did not raise any interpretive questions regarding Section I(a) of PTE 2015–15, or express any concerns regarding DBSI's possible noncompliance, during the comment period for PTE 2015–15. Nor did Deutsche Bank seek a technical correction or other remedy to address such concerns between the time that PTE 2015–15 was granted and the date of the Korean Conviction. The Department notes that a period of approximately nine months passed before Deutsche Bank raised an interpretive question regarding Section I(a) of PTE 2015–15. Accordingly, the Department is excluding DBSI from the relief described in this Proposed Extension.

The Proposed Extension, if granted, will also not apply with respect to Deutsche Bank AG (the parent entity) or any of its branches. The Applicant represents that neither Deutsche Bank AG nor its branches have relied on the relief provided by PTE 84–14 since the date of the Korean Conviction.

7. The Department has tentatively determined that the Proposed Extension is administratively feasible. In this regard, this Proposed Extension, if granted, would not require the Department's oversight because DSK does not provide any fiduciary or QPAM services to ERISA-covered plans and IRAs and that no ERISA or IRA assets were involved in the Korean Conviction. Furthermore, compliance with the terms of the Proposed Extension and of PTE 2015–15 will be validated through an audit performed by a qualified, independent auditor.

8. The proposed exemption, if granted, would provide relief from certain of the restrictions set forth in Section 406 and 407 of ERISA. Such a granted exemption would not provide relief from any other violation of law, including any criminal conviction not expressly described herein. Pursuant to the terms of this proposed exemption, if granted, any criminal conviction not expressly described herein, but otherwise described in Section I(g) of PTE 84–14 and attributable to the applicant for purposes of PTE 84–14, would result in the applicant's loss of this exemption, if granted.

Interested persons are directed to the First Proposal, the Facts and Representations of which are incorporated herein, for a more detailed description of the Department's views regarding the scope of relief and the adequacy of the conditions contained herein.

Effective Dates

9. This Proposed Extension, if granted, will be effective from October 24, 2016 until the earlier of April 23, 2017 or the effective date of a final agency action made by the Department in connection with Exemption Application No. D–11856. Fiduciaries of ERISA-covered plans and IRAs with assets managed by a DB QPAM should be aware that, if this Proposed Extension is not granted, DB QPAMs may only rely on the relief provided in PTE 84–14 until October 23, 2016. If the Department grants this Proposed Extension, but makes a final decision not to propose the Second Request, the DB QPAMs will be unable to rely on the relief set forth in PTE 84–14, as of April 24, 2017. ERISA-covered plan and IRA fiduciaries should take note that, as described above, the conditions for PTE 2015–15 and this Proposed Extension require DB QPAMs to agree not to restrict the ability of each ERISA-covered plan or IRA client to terminate or withdraw from its arrangement with the DB QPAM, with certain limited exceptions.

Notice to Interested Persons

Written comments and requests for a public hearing on the Proposed Extension should be submitted to the Department within seven (7) days from the date of publication of this **Federal Register** Notice. Given the short comment period, the Department will consider comments received after such date, in connection with its consideration of more permanent relief.

Warning: Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments may be posted on the Internet and can be retrieved by most Internet search engines.

FOR FURTHER INFORMATION CONTACT: Scott Ness of the Department, telephone (202) 693–8561. (This is not a toll-free number.)

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of the Act and/or the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which, among other things, require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(b) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) Before an exemption may be granted under section 408(a) of the Act and/or section 4975(c)(2) of the Code, the Department must find that the exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries, and protective of the rights of participants and beneficiaries of the plan;

(3) The proposed exemptions, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act and/or the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or

[44] The Applicant represents that DBSI has not relied on the relief provided by PTE 84–14 since the date of the Korean Conviction.

[45] The Applicant identifies the individual as Mr. John Ripley, a senior global manager in DBSI who was based in the United States and who was a functional supervisor over the employees of DSK that were prosecuted for market manipulation. Furthermore, the Applicant states that Mr. Ripley was terminated by DBSI for ''loss of confidence'' in that he could have exercised more care and been more proactive in reviewing the trades at issue.

statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction; and

(4) The proposed exemptions, if granted, will be subject to the express condition that the material facts and representations contained in each application are true and complete, and that each application accurately describes all material terms of the transaction which is the subject of the exemption.

Signed at Washington, DC, this 5th day of October, 2016.

Lyssa E. Hall,

Director, Office of Exemption Determinations, Employee Benefits Security Administration, U.S. Department of Labor.

[FR Doc. 2016–24595 Filed 10–11–16; 8:45 am]

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Part IV

Office of Management and Budget

Statistical Policy Directive No. 2: Standards and Guidelines for Statistical Surveys; Addendum: Standards and Guidelines for Cognitive Interviews; Notice

OFFICE OF MANAGEMENT AND BUDGET

Statistical Policy Directive No. 2: Standards and Guidelines for Statistical Surveys; Addendum: Standards and Guidelines for Cognitive Interviews

AGENCY: Executive Office of the President, Office of Management and Budget.

ACTION: Notice of final decision.

SUMMARY: Under the *Budget and Accounting Procedures Act* of 1950 (31 U.S.C. 1104 (d)) and the *Paperwork Reduction Act* of 1995 (44 U.S.C. 3504 (e)), the Office of Management and Budget (OMB) is issuing Statistical Policy Directive No. 2 Addendum: *Standards and Guidelines for Statistical Surveys.* This Addendum provides Standards and Guidelines for Conducting Cognitive Interviews.

The Addendum may be accessed at *www.WhiteHouse.gov/sites/default/files/omb/inforeg/directive2/final_addendum_to_stat_policy_dir_2.pdf.* Additional discussion of the Addendum may be found in the **SUPPLEMENTARY INFORMATION** section below.

DATES: *Effective Date:* This Addendum is effective immediately.

ADDRESSES: Please send any questions about this Directive to: Katherine K. Wallman, Chief Statistician, Office of Management and Budget, 10201 New Executive Office Building, Washington, DC 20503, *telephone number:* (202) 395–3093, *FAX number:* (202) 395–7245. You may also send questions via email to *DirectiveNo2@omb.eop.gov.* Because of delays in the receipt of regular mail related to security screening, use of electronic communications is encouraged.

Electronic Availability: This document is available on the Internet on the OMB Web site at *www.WhiteHouse.gov/sites/default/files/omb/inforeg/directive2/FRN_stat_policy_dir_2_addendum.pdf.*

FOR FURTHER INFORMATION CONTACT: Jennifer Park, 10201 New Executive Office Building, Washington, DC 20503, email address: *jpark@omb.eop.gov* with subject Directive No. 2 Addendum: Standards and Guidelines for Cognitive Interviews, *telephone number:* (202) 395–9046, *FAX number:* (202) 395–7245.

SUPPLEMENTARY INFORMATION: The Nation relies on the flow of credible statistics to support the decisions of governments, businesses, individuals, households, and other organizations. Federal surveys collect much of the information available about the United States' economy, population, natural resources, environment, and public and private institutions. It is essential that these surveys collect information in a clear, straight-forward manner so as to maximize the accuracy of data while minimizing respondent burden.

Scope: The Addendum applies to all Federal agencies subject to the *Paperwork Reduction Act* of 1995. Agencies not subject to the PRA also benefit from this Addendum, and are therefore encouraged to apply this guidance as well.

Background: Consistent with the *Information Quality Act* (Pub. L. 106–554, Division C, title V, Sec. 515, Dec. 21, 2000; 114 Stat. 2763A–153 to 2763A–154) and in accordance with *Statistical Policy Directive No. 1: Fundamental Responsibilities of Federal Statistical Agencies and Recognized Statistical Units* (79 FR 71610, Dec. 2, 2014), it is the responsibility of Federal agencies engaging in statistical work to continuously review statistical methodologies and implement improvements as they are identified so as to better ensure the relevance, accuracy, and objectivity of the statistical products our Nation uses to monitor and assess performance, progress, and needs. Further, these responsibilities must be achieved in a manner that protects the confidentiality of information acquired solely for statistical purposes.

In its role as coordinator of the Federal statistical system under the *Paperwork Reduction Act,* OMB, among other responsibilities, is required to ensure the efficiency and effectiveness of the system as well as the relevance, accuracy, objectivity, and confidentiality of information collected for statistical purposes. OMB is also charged with developing and overseeing the implementation of Government-wide principles, policies, standards, and guidelines concerning the development, presentation, and dissemination of statistical information.

Statistical Policy Directive No. 2: Standards and Guidelines for Statistical Surveys was issued in 2006 to ensure implementation of improved survey methods across Federal agencies engaged in statistical activities. It remains a robust and comprehensive source of guidance. Nonetheless, periodic review, updates, and addenda are required to ensure that this Directive remains most useful to Federal agencies.

Cognitive interviewing is a key method used to pretest survey questions and questionnaires. This method investigates whether respondents understand survey questions according to their intended design and whether respondents can provide accurate answers based on that intent. Cognitive interviews determine respondent interpretations and detail the phenomena considered by respondents in forming their answer. Findings from cognitive interviews can indicate whether a survey question captures the intended construct; cognitive interview findings can also identify difficulties that respondents experience when formulating responses. Ultimately, rigorous cognitive interviews support the efficient production of useful statistics since the findings from cognitive interviews can be used to help minimize costs and burden while ensuring the accuracy of the information collected.

Although cognitive interviews are broadly used across a variety of Federal agencies engaged in statistical activities, to date no specific Federal guidance has established the manner in which this particular method should be conducted. As such, the term ''cognitive interview,'' when applied to Federal statistical surveys could refer to any of an array of related research techniques that differ in their appropriate use for statistical surveys. Accordingly, in 2014, OMB requested members of the Federal Interagency Council on Statistical Policy (ICSP) to nominate representatives for a new subcommittee formed under the aegis of the Federal Committee on Statistical Methodology (FCSM). The Question Evaluation Methodology Subcommittee was asked to identify best practices for conducting cognitive interviews so as to improve the resulting data quality. Subcommittee members reviewed relevant scientific literature, the *Paperwork Reduction Act,* the *Information Quality Act, Government-wide Information Quality Guidelines (Information Quality Guidelines)* (67 FR 8453, Jan. 3, 2002), *Statistical Policy Directive No. 1* and *Directive No. 2,* and other information quality standards currently used by Federal statistical agencies. Through this careful process, the subcommittee reached a consensus in identifying seven standards for cognitive interviews. The subcommittee provided draft standards and guidelines for review by the FCSM and the ICSP in 2015. The subcommittee addressed the comments it received at each stage and provided its final recommendations to the FCSM in 2015.

Accordingly, OMB requested comments on the recommendation that it received from the Federal Committee on Statistical Methodology (FCSM) Subcommittee on Question Evaluation Methodology to publish an addendum to OMB *Statistical Policy Directive No.*

2: Standards and Guidelines for Statistical Surveys. The Addendum, *Standards and Guidelines for Cognitive Interviews,* is intended to ensure that the results of statistical surveys sponsored by the Federal Government are as reliable and useful as possible while minimizing respondent burden. Specifically, the Addendum establishes rigorous standards for the use of cognitive interviews in Federal information collections. These standards allow data collectors and users alike to better evaluate the quality of survey questions and the resulting survey statistics.

Disposition of Comments Received: On May 10, 2016, OMB published in the **Federal Register** (81 FR 29107, May 10, 2016) a notice seeking comments on a draft of this Addendum. No comments were received. Accordingly, OMB hereby adopts and issues the final Directive No. 2 Addendum: *Standards and Guidelines for Cognitive Interviews.* The Addendum can be accessed at *www.WhiteHouse.gov/sites/default/files/omb/inforeg/directive2/final_addendum_to_stat_policy_dir_2.pdf.*

Howard Shelanski,

Administrator. Office of Information and Regulatory Affairs.

[FR Doc. 2016–24607 Filed 10–11–16; 8:45 am]

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Part V

The President

Proclamation 9516—National Manufacturing Day, 2016
Executive Order 13742—Termination of Emergency With Respect to the Actions and Policies of the Government of Burma

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Title 3—

The President

Proclamation 9516 of October 6, 2016

National Manufacturing Day, 2016

By the President of the United States of America

A Proclamation

Since our earliest days, innovation has been one of the most important driving forces of the American economy, and for generations, our manufacturing industry was the ticket to a good middle-class life. Over time, developing technology has changed the way we approach manufacturing. American manufacturing lost roughly one-third of its jobs in the first decade of the new century—during the global recession—and the middle class paid the price. Despite that, in recent years, through the determination of our resilient workforce, our economy and our manufacturing industry have been on the rise. Since 2010, we have added more than 800,000 manufacturing jobs and witnessed the fastest pace of manufacturing job growth since the 1990s—and today, factories are opening doors more quickly than at any time in the past 20 years. On National Manufacturing Day, we celebrate American manufacturing and recognize our potential to remain competitive by continuing to strengthen research, development, and our manufacturing sector.

To build on this progress, we must keep America on the cutting edge of innovation and attract more high-quality manufacturing jobs for workers to fill in the 21st-century economy. We have worked to grow the jobs of tomorrow through Manufacturing USA, a national network of manufacturing hubs that bring businesses, research universities, and governments together to co-invest in the development of world-leading manufacturing technologies and capabilities. These manufacturing hubs not only enable some of the best minds in America to work together, but they also create a home for specific technology focus areas in manufacturing that attract people from around the world. Government can and should play a role in catalyzing this progress, which is why my Administration has already announced nine manufacturing hubs, with even more planned in the future. By supporting this network of global leadership in manufacturing, we are ensuring a steady stream of good jobs and pursuing the potential to fundamentally change the way we build things in America. I encourage everyone to visit www.Manufacturing.gov to learn more about the ways we have highlighted these partnerships to increase our competitiveness and advance our national manufacturing infrastructure.

The growing maker movement has played a role in encouraging manufacturing. Through our Nation of Makers initiative, we have worked to give students, entrepreneurs, and all Americans access to new technologies so they can design and build anything they can dream of. The democratization of tools required to create products has been critical for supporting entrepreneurship and has led to a renaissance of American manufacturing—and we must continue to foster the culture of making and entrepreneurship. Our economic competitiveness in domestic manufacturing depends on critical investments in science, technology, engineering, and math (STEM) education. If we make the necessary investments to help students and young people experience hands-on STEM learning, we can spark a deep interest and help them develop the passion and creativity they need to excel in the 21st-century economy.

Each year, hundreds of thousands of people observe this day by attending open houses, public tours, and career workshops. As we mark 5 years since the first National Manufacturing Day, we must inspire the next generation of workers and innovators to seek careers in manufacturing. Let us continue working to strengthen and expand the manufacturing jobs of tomorrow and ensure that opportunity for all is something we can keep making in America for generations to come.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 7, 2016, as National Manufacturing Day. I call upon the people of the United States to observe this day with programs and activities that highlight the contributions of American manufacturers, and I encourage all Americans to visit a manufacturer in their local community.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord two thousand sixteen, and of the Independence of the United States of America the two hundred and forty-first.

[FR Doc. 2016–24844
Filed 10–11–16; 11:15 am]
Billing code 3295–F7–P

Presidential Documents

Executive Order 13742 of October 7, 2016

Termination of Emergency With Respect to the Actions and Policies of the Government of Burma

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), section 570 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (Public Law 104–208), the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61), the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008 (Public Law 110–286) (the ''JADE Act''), section 212(f) of the Immigration and Nationality Act of 1952, as amended (8 U.S.C. 1182(f)) (INA), and section 301 of title 3, United States Code.

I, BARACK OBAMA, President of the United States of America, find that the situation that gave rise to the declaration of a national emergency in Executive Order 13047 of May 20, 1997, with respect to the actions and policies of the Government of Burma, in particular a deepening pattern of severe repression by the State Law and Order Restoration Council, the then-governing regime in Burma, as modified in scope by Executive Order 13448 of October 18, 2007, and Executive Order 13619 of July 11, 2012, has been significantly altered by Burma's substantial advances to promote democracy, including historic elections in November 2015 that resulted in the former opposition party, the National League for Democracy, winning a majority of seats in the national parliament and the formation of a democratically elected, civilian-led government; the release of many political prisoners; and greater enjoyment of human rights and fundamental freedoms, including freedom of expression and freedom of association and peaceful assembly. Accordingly, I hereby terminate the national emergency declared in Executive Order 13047, and revoke that order, Executive Order 13310 of July 28, 2003, Executive Order 13448, Executive Order 13464 of April 30, 2008, Executive Order 13619, and Executive Order 13651 of August 6, 2013, and further order:

Section 1. Pursuant to section 202(a) of the NEA (50 U.S.C. 1622(a)), termination of the national emergency declared in Executive Order 13047, as modified in scope by Executive Order 13448, and Executive Order 13619, shall not affect any action taken or proceeding pending not finally concluded or determined as of the effective date of this order, any action or proceeding based on any act committed prior to the effective date of this order, or any rights or duties that matured or penalties that were incurred prior to the effective date of this order.

Sec. 2. Pursuant to section 5(i) of the JADE Act, I hereby determine and certify that it is in the national interest of the United States to waive, and hereby waive, the sanctions described in section 5(b) of the JADE Act.

Sec. 3. In light of the revocation of Executive Order 13310, Executive Order 13448, and Executive Order 13464, the suspension of entry as immigrants and nonimmigrants, pursuant to Presidential Proclamation 8693 of July 24, 2011, and section 212(f) of the INA, of individuals meeting the criteria in said orders will no longer be in effect as of the effective date of this order. In light of the revocation of Executive Order 13619, the suspension of entry as immigrants and nonimmigrants of individuals meeting the criteria

in that order will no longer be in effect as of the effective date of this order and such individuals will no longer be treated as persons covered by Presidential Proclamation 8693.

Sec. 4. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 5. This order is effective at 1:00 p.m. eastern daylight time on October 7, 2016.

THE WHITE HOUSE,
October 7, 2016.

[FR Doc. 2016–24847
Filed 10–11–16; 11:15 am]
Billing code 3295–F7–P

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