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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2016-9388; Directorate Identifier 2016-NM-145-AD; Amendment 39-18810; AD 2017-04-15]

RIN 2120-AA64

#### Airworthiness Directives; Learjet Inc. Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain Learjet Inc. Model 36A airplanes. This AD was prompted by a report indicating that an aileron cable failed on an airplane during a tension check and a determination that Model 36A airplanes were not included in AD 2005-13-36, which addresses this issue for other Learjet Inc. airplanes. This AD requires a one-time inspection of the center ball of the aileron control cables for a defective swage, and corrective actions if necessary. We are issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective April 4, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 9, 2005 (70 FR 38578, July 5, 2005).

**ADDRESSES:** For service information identified in this final rule, contact Learjet Inc., One Learjet Way, Wichita, KS 67209-2942; telephone 316-946-2000; fax 316-946-2220; email [ac.ict@aero.bombardier.com](mailto:ac.ict@aero.bombardier.com); Internet <http://www.bombardier.com>. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-9388.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-9388; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800-647-5527) is Docket Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Donald Ristow, Aerospace Engineer, Systems and Propulsion Branch, ACE-116W, FAA, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Dwight D. Eisenhower National Airport, Wichita, KS 67209; phone: 316-946-4120; fax: 316-946-4107; email: [donald.ristow@faa.gov](mailto:donald.ristow@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR

part 39 by adding an AD that would apply to certain Learjet Inc. Model 36A airplanes. The NPRM published in the **Federal Register** on November 18, 2016 (81 FR 81704) (“the NPRM”). The NPRM was prompted by a report indicating that an aileron cable failed on an airplane during a tension check, and a determination that Model 36A airplanes were not included in AD 2005-13-36, Amendment 39-14173 (70 FR 38578, July 5, 2005), which addresses this condition for other Learjet Inc. airplanes. The NPRM proposed to require a one-time inspection of the center ball of the aileron control cables for a defective swage, and corrective actions if necessary. We are issuing this AD to prevent severe weakening of the aileron cable, and consequent reduced controllability of the airplane.

#### Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

#### Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting this AD as proposed, except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

#### Costs of Compliance

We estimate that this AD affects 21 airplanes of U.S. registry. We estimate the following costs to comply with this AD:

#### ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection .....	1 work-hour × \$85 per hour = \$85 .....	\$0	\$85	\$1,785

We estimate the following costs to do any necessary replacement that would

be required based on the results of the required inspection. We have no way of

determining the number of aircraft that might need this replacement:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Cable Replacement .....	Up to 48 work-hours × \$85 per hour = up to \$4,080 ....	Up to \$2,020 .....	Up to \$6,100.

According to the manufacturer, some of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage for affected individuals. As a result, we have included all costs in our cost estimate.

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. 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.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: “General requirements.” Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

**Regulatory Findings**

This AD will not have federalism implications under Executive Order 13132. This AD will not have 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.

For the reasons discussed above, I certify that this AD:

- (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),
- (3) Will not affect intrastate aviation in Alaska, and
- (4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**Adoption of the Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

**PART 39—AIRWORTHINESS DIRECTIVES**

- 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

**§ 39.13 [Amended]**

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**2017-04-15 Learjet Inc.:** Amendment 39-18810; Docket No. FAA-2016-9388; Directorate Identifier 2016-NM-145-AD.

**(a) Effective Date**

This AD is effective April 4, 2017.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Learjet Inc. Model 36A airplanes, certificated in any category, as identified in Bombardier Alert Service Bulletin A35/36-27-42, dated December 23, 2002.

**(d) Subject**

Air Transport Association (ATA) of America Code 27, Flight controls.

**(e) Unsafe Condition**

This AD was prompted by a report indicating that an aileron cable failed on an airplane during a tension check. We are issuing this AD to prevent severe weakening of the aileron cable, and consequent reduced controllability of the airplane.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Inspection**

Within 100 flight hours or 90 days after the effective date of this AD, whichever occurs first, do a detailed inspection of the center ball of the aileron control cables for a defective swage, and before further flight, replace any damaged or defective cable with a new cable, in accordance with the Accomplishment Instructions of Bombardier Alert Service Bulletin A35/36-27-42, dated

December 23, 2002. For the purposes of this AD, a detailed inspection is an intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at an intensity deemed appropriate. Inspection aids such as mirrors, magnifying lenses, etc., may be necessary. Surface cleaning and elaborate procedures may be required.

**(h) Parts Installation Limitation**

As of the effective date of this AD, no person may install on any airplane an aileron control cable unless it has been inspected in accordance with paragraph (g) of this AD.

**(i) No Reporting or Parts Return Requirement**

Although Bombardier Alert Service Bulletin A35/36-27-42, dated December 23, 2002, has procedures for submitting a report showing compliance and for returning any discrepant parts to the manufacturer, this AD does not include those requirements.

**(j) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Wichita Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in paragraph (k) of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

**(k) Related Information**

For more information about this AD, contact Donald Ristow, Aerospace Engineer, Systems and Propulsion Branch, ACE-116W, FAA, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Dwight D. Eisenhower National Airport, Wichita, KS 67209; phone: 316-946-4120; fax: 316-946-4107; email: [donald.ristow@faa.gov](mailto:donald.ristow@faa.gov).

**(l) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(3) The following service information was approved for IBR on August 9, 2005 (70 FR 38578, July 5, 2005).



(i) Bombardier Alert Service Bulletin A35/36-27-42, dated December 23, 2002.

(ii) Reserved.

(4) For Learjet Inc. service information identified in this AD, contact Learjet Inc., One Learjet Way, Wichita, KS 67209-2942; telephone 316-946-2000; fax 316-946-2220; email [ac.ict@aero.bombardier.com](mailto:ac.ict@aero.bombardier.com); Internet <http://www.bombardier.com>.

(5) You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(6) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on February 15, 2017.

**Thomas Groves,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2017-03715 Filed 2-27-17; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 171

[Docket No. FAA-2016-8503; Airspace Docket No. 16-ASW-11]

#### Amendment of Class D and E Airspace for the Following Texas Towns; Houston Sugar Land, TX; Alice, TX; Bay City, TX; Brenham, TX; Burnet, TX; Falfurrias, TX; Graford, TX; and Hamilton, TX

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action modifies Class D and Class E surface area airspace at Sugar Land Regional Airport, Houston Sugar Land, TX; and Class E airspace extending upward from 700 feet above the surface at Kingsville Kleberg County Airport, Alice, TX; Bay City Municipal Airport, Bay City, TX; Brenham Municipal Airport, Brenham, TX; Burnet Municipal Airport-Kate Craddock Field, Burnet, TX; Brooks County Airport, Falfurrias, TX; Possum Kingdom Airport, Graford, TX; and Hamilton Municipal Airport, Hamilton, TX. Decommissioning of non-directional radio beacons (NDBs), cancellation of NDB approaches, and implementation of area navigation (RNAV) procedures have made this action necessary for the safety and management of Instrument Flight Rules

(IFR) operations at these airports. Additionally, the geographic coordinates at Bay City Municipal Airport, Brenham Municipal Airport, and Brooks County Airport, as well as the name of Sugar Land Regional Airport (formerly Sugar Land Municipal/Hull Field) are being adjusted to coincide with the FAA's aeronautical database. This action does not remove Class E airspace at Horseshoe Bay Resort Airport, Austin, TX, as was proposed.

**DATES:** Effective 0901 UTC, April 27, 2017. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](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](http://www.archives.gov/federal-register/code_of_federal-regulations/ibr_locations.html).

FAA Order 7400.11A, 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 modifies Class D airspace and Class E surface area airspace at Sugar Land Regional Airport, Houston Sugar Land, TX; and modifies Class E airspace extending upward from 700 feet above the surface at Kingsville Kleberg County Airport, Alice, TX; Bay City Municipal Airport, Bay City, TX; Brenham Municipal Airport, Brenham, TX; Burnet Municipal Airport-Kate Craddock Field, Burnet, TX; Brooks County Airport, Falfurrias, TX; Possum Kingdom Airport, Graford, TX; and Hamilton Municipal Airport, Hamilton, TX.

#### **History**

On August 11, 2016, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM), (81 FR 53091) Docket No. FAA-2016-8503, to modify Class D airspace and Class E surface area airspace at Sugar Land Regional Airport, Houston Sugar Land, TX; and modify Class E airspace extending upward from 700 feet above the surface at Kingsville Kleberg County Airport, Alice, TX; Bay City Municipal Airport, Bay City, TX; Brenham Municipal Airport, Brenham, TX; Burnet Municipal Airport-Kate Craddock Field, Burnet, TX; Brooks County Airport, Falfurrias, TX; Possum Kingdom Airport, Graford, TX; and Hamilton Municipal Airport, Hamilton, TX; and remove Class E at Horseshoe Bay Resort Airport, Austin, TX.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One (1) comment was received from an individual from Round Mountain, TX. In synopsis, the individual stated that: RNAV SIAPs<sup>1</sup> were published in the Garmin 430W or available by printed photo copies; that Class E airspace to 700 AGL is critical to maintain cloud clearance at Horseshoe Bay Resort Airport; that if the SIAPs are removed, public procedures should be established; that many airmen have obtained published SIAPs through unapproved sources and do not possess a letter of authorization to utilize them; and that Horseshoe Bay Resort Airport need that protected airspace and approached to maintain a higher level of public safety and operational consistency.

Subsequent to the publication, the FAA found that special instrument approach procedures exist at Horseshoe Bay Resort Airport requiring the Class E airspace area extending upward from

<sup>1</sup> Special instrument procedures are not published in accordance with 14 CFR part 97 and require specific FAA approval for use. FAA Order 8260.60, Chpt.2, 2-1-1.

700 feet above the surface that currently is in place for the safety and management of IFR operations. Thus, the proposed removal of Class E airspace at Horseshoe Bay Resort Airport, Austin, TX, has been withdrawn from this action. The individual's remaining comments are outside the scope of this action.

Class D and E airspace designations are published in paragraph 5000, 6002, and 6005, respectively, 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 D and E airspace designations listed in this document will be published subsequently in the Order.

#### Availability and Summary of Documents for Incorporation by Reference

This document amends 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 Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 modifies:

Class D airspace from the surface to and including 2,600 feet MSL and Class E surface area airspace within a 5.8-mile radius (increased from a 4.2-mile radius) of Sugar Land Regional Airport, Houston Sugar Land, TX, and updates the name of the airport (formerly Sugar Land Municipal/Hull Field) to coincide with the FAA's aeronautical database;

Class E airspace extending upward from 700 feet above the surface within a 6.6-mile radius (increased from a 6.5-mile radius) of Kingsville, Kleberg County Airport, Alice, TX, with an extension northwest of the airport from the 6.6-mile radius to 10.3 miles;

Within a 6.5-mile radius (reduced from a 7-mile radius) of Bay City Municipal Airport, Bay City, TX, and updates the geographic coordinates of the airport to coincide with the FAA's aeronautical database;

Within a 6.5-mile radius (reduced from a 7.2-mile radius) of Brenham Municipal Airport, Brenham TX, and updates the geographic coordinates of the airport to coincide with the FAA's aeronautical database;

Within a 6.6-mile radius (reduced from a 6.7-mile radius) of the Burnet Municipal Airport-Kate Craddock Field,

Burnet, TX, and removes the extensions to the north and south of the airport;

Within a 6.6-mile radius (reduced from a 6.7-mile radius) of Brooks County Airport, Falfurrias, TX, removes the extension to the south of the airport, updates the geographic coordinates of the airport to coincide with the FAA's aeronautical database, and removes the decommissioned Bay City NDB from the legal description;

Within a 7.0-mile radius (increased from a 6.3-mile radius) of Possum Kingdom Airport, Graford, TX, with extensions to the northeast of the airport from the 7.0-mile radius to 10.9 miles, and to the southwest of the airport from the 7.0-mile radius to 10.9 miles;

And within a 6.5-mile radius (increased from a 6.4-mile radius) of Hamilton Municipal Airport, Hamilton, TX, with extensions to the north of the airport from the 6.5-mile radius to 9.4 miles, and to the south of the airport from the 6.5-mile radius to 10.3 miles.

Airspace reconfiguration is necessary due to the decommissioning of NDBs, cancellation of NDB approaches, and implementation of RNAV procedures at these airports and for the safety and management of standard instrument approach procedures for IFR operations at these airports.

#### 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 only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5–6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and

no extraordinary circumstances exist that warrant preparation of an environmental assessment.

#### Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air)

#### Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 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 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 5000 Class D Airspace.*

\* \* \* \* \*

#### ASW TX D Houston Sugar Land, TX [Amended]

Sugar Land, Sugar Land Regional Airport, TX (Lat. 29°37'20" N., long. 95°39'24" W.)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 5.8-mile radius of Sugar Land Regional Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement (previously called Airport/Facility Directory).

\* \* \* \* \*

*Paragraph 6002 Class E Airspace Designated as Surface Areas.*

\* \* \* \* \*

#### ASW TX E2 Houston Sugar Land, TX [Amended]

Sugar Land, Sugar Land Regional Airport, TX (Lat. 29°37'20" N., long. 95°39'24" W.)

Within a 5.8-mile radius of Sugar Land Regional Airport. This Class E airspace is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement (previously called Airport/Facility Directory).

\* \* \* \* \*

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

**ASW TX E5 Alice, TX [Amended]**

Alice International Airport, TX  
 (Lat. 27°44'27" N., long. 98°01'37" W.)  
 Orange Grove NALF, TX  
 (Lat. 27°53'49" N., long. 98°02'37" W.)  
 Navy Orange Grove TACAN  
 (Lat. 27°53'43" N., long. 98°02'33" W.)  
 Kingsville, Kleberg County Airport, TX  
 (Lat. 27°33'03" N., long. 98°01'51" W.)

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of Alice International Airport, and within 2 miles each side of the 135° bearing from Alice International Airport extending from the 7.5-mile radius to 9.8 miles southeast of the airport, and within a 7.2-mile radius of the Orange Grove NALF, and within 1.6 miles each side of the 129° radial of the Navy Orange Grove TACAN extending from the 7.2-mile radius of the Orange Grove NALF to 11 miles southeast of the Orange Grove NALF, and within 1.5 miles each side of the 320° radial of the Navy Orange Grove TACAN extending from the 7.2-mile radius of the Orange Grove NALF to 9.7 miles northwest of the Orange Grove NALF, and within a 6.6-mile radius of Kleberg County Airport, and within 4.0 miles each side of the 320° bearing from the Kleberg County Airport from the 6.6-mile radius to 10.3 miles northwest of the airport, excluding that airspace within the Corpus Christi, TX, Class E airspace area.

\* \* \* \* \*

**ASW TX E5 Bay City, TX [Amended]**

Bay City Municipal Airport, TX  
 (Lat. 28°58'24" N., long. 95°51'48" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Bay City Municipal Airport.

\* \* \* \* \*

**ASW TX E5 Brenham, TX [Amended]**

Brenham Municipal Airport, TX  
 (Lat. 30°13'11" N., long. 96°22'28" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Brenham Municipal Airport.

\* \* \* \* \*

**ASW TX E5 Burnet, TX [Amended]**

Burnet Municipal Airport-Kate Craddock Field, TX  
 (Lat. 30°44'20" N., long. 98°14'19" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Burnet Municipal Airport-Kate Craddock Field.

\* \* \* \* \*

**ASW TX E5 Falfurrias, TX [Amended]**

Brooks County Airport, TX  
 (Lat. 27°12'22" N., long. 98°07'16" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Brooks County Airport.

\* \* \* \* \*

**ASW TX E5 Graford, TX [Amended]**

Possum Kingdom Airport, TX  
 (Lat. 32°55'24" N., long. 98°26'13" W.)

That airspace extending upward from 700 feet above the surface within a 7.0-mile

radius of Possum Kingdom Airport and within 4 miles each side of the 031° bearing from the airport extending from the 7.0-mile radius to 10.9 miles northeast of the airport, and within 4 miles each side of the 210° bearing from the airport extending from the 7.0-mile radius to 10.9 miles southwest of the airport.

\* \* \* \* \*

**ASW TX E5 Hamilton, TX [Amended]**

Hamilton Municipal Airport, TX  
 (Lat. 31°39'57" N., long. 98°08'55" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Hamilton Municipal Airport, and within 2 miles each side of the 009° bearing from the airport extending from the 6.5-mile radius to 9.4 miles north of the airport, and within 2 miles each side of the 189° bearing from the airport extending from the 6.5-mile radius to 10.3 miles south of the airport.

Issued in Fort Worth, Texas, on February 8, 2017.

**Walter Tweedy,**

*Acting Manager, Operations Support Group,  
 ATO Central Service Center.*

[FR Doc. 2017-03835 Filed 2-27-17; 8:45 am]

**BILLING CODE 4910-13-P****SECURITIES AND EXCHANGE COMMISSION****17 CFR Part 230**

[Release Nos. 33-10238A; 34-79161A; File No. S7-22-15]

**RIN 3235-AL80****Exemptions To Facilitate Intrastate and Regional Securities Offerings****AGENCY:** Securities and Exchange Commission.**ACTION:** Final rule; technical correction.

**SUMMARY:** This document makes a technical correction to one of the final regulations (SEC Rel. No. 33-10238) published in the **Federal Register** on November 21, 2016 (81 FR 83494). Specifically, the amendments to Rule 504 of Regulation D under the Securities Act of 1933 inadvertently omitted the word "or" from the last sentence of the rule; this correction is reflected in the text of the amendments below.

**DATES:** This correction is effective February 28, 2017.

**FOR FURTHER INFORMATION CONTACT:**

Anthony G. Barone, Special Counsel, or Jenny Riegel, Special Counsel, Division of Corporation Finance, at (202) 551-3460.

**SUPPLEMENTARY INFORMATION:** We are making a technical correction to Rule

504<sup>1</sup> of Regulation D<sup>2</sup> under the Securities Act of 1933.

**List of Subjects in 17 CFR Part 230**

Reporting and recordkeeping requirements, Securities.

**Text of the Amendments**

For the reasons set out above, title 17, chapter II of the Code of Federal Regulations is amended as follows:

**PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933**

■ 1. The general authority citation for part 230 continues to read as follows:

**Authority:** 15 U.S.C. 77b, 77b note, 77c, 77d, 77f, 77g, 77h, 77j, 77r, 77s, 77z-3, 77sss, 78c, 78d, 78j, 78l, 78m, 78n, 78o, 78o-7 note, 78t, 78w, 78ll(d), 78mm, 80a-8, 80a-24, 80a-28, 80a-29, 80a-30, and 80a-37, and Pub. L. 112-106, sec. 201(a), sec. 401, 126 Stat. 313 (2012), unless otherwise noted.

\* \* \* \* \*

■ 2. Amend § 230.504 by revising paragraph (b)(2) to read as follows:

**§ 230.504 Exemption for limited offerings and sales of securities not exceeding \$5,000,000.**

\* \* \* \* \*

(b) \* \* \*

(2) The aggregate offering price for an offering of securities under this § 230.504, as defined in § 230.501(c), shall not exceed \$5,000,000, less the aggregate offering price for all securities sold within the twelve months before the start of and during the offering of securities under this § 230.504 or in violation of section 5(a) of the Securities Act.

\* \* \* \* \*

Dated: February 22, 2017.

**Brent J. Fields,***Secretary.*

[FR Doc. 2017-03848 Filed 2-27-17; 8:45 am]

**BILLING CODE 8011-01-P****DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 2**

[Docket No. FDA-2015-N-1355]

**RIN 0910-AH36****Use of Ozone-Depleting Substances**

**AGENCY:** Food and Drug Administration, HHS.

<sup>1</sup> 17 CFR 230.504.<sup>2</sup> 17 CFR 230.500 through 230.508.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** In accordance with a determination by the Director of the Office of Management and Budget (OMB) that the direct final rule (“Use of Ozone Depleting Substances”) published on October 26, 2016, is excluded from the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled “Regulatory Freeze Pending Review,” this action confirms the effective date of February 23, 2017, for the direct final rule.

**DATES:** The effective date of the direct final rule that published on October 26, 2016, at 81 FR 74298, is confirmed to be February 23, 2017.

**FOR FURTHER INFORMATION CONTACT:** Daniel Orr, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6246, Silver Spring, MD 20993, 240-402-0979, [daniel.orr@fda.hhs.gov](mailto:daniel.orr@fda.hhs.gov).

**SUPPLEMENTARY INFORMATION:** On October 26, 2016, the Food and Drug Administration (FDA or Agency) issued a direct final rule amending the regulation on uses of ozone-depleting substances (ODSs), including chlorofluorocarbons, to remove the designations for sterile aerosol talc administered intrapleurally by thoracoscopy for human use and metered-dose atropine sulfate aerosol human drugs administered by oral inhalation as “essential uses” under the Clean Air Act. FDA took this action because alternative products that do not use ODSs are now available, and because these products are no longer being marketed in versions that contain ODSs. FDA did not receive any significant adverse comments regarding the direct final rule, which was published with an effective date of February 23, 2017.

A memorandum of January 20, 2017 (82 FR 8346), from the Assistant to the President and Chief of Staff, entitled “Regulatory Freeze Pending Review,” directed the heads of Executive Departments and Agencies to temporarily postpone for 60 days from the date of the memorandum the effective dates of all regulations that had been published in the **Federal Register** but had not yet taken effect, for the purpose of “reviewing questions of fact, law, and policy they raise.” The memorandum also stated that the Director of OMB may exclude certain regulations if they “affect critical health, safety, financial, or national security matters, or for some other reason.”

Pursuant to the memorandum, the Director of OMB has excluded the direct final rule that published on October 26, 2016, at 81 FR 74298, from the directive to delay the effective date of certain regulations. The Department, therefore, confirms that the effective date of the direct final rule is February 23, 2017.

Dated: February 22, 2017.

**Thomas E. Price,**

*Secretary.*

[FR Doc. 2017-03866 Filed 2-27-17; 8:45 am]

**BILLING CODE 4164-01-P**

## DEPARTMENT OF THE INTERIOR

### National Indian Gaming Commission

#### 25 CFR Part 575

#### Annual Adjustment of Civil Monetary Penalty To Reflect Inflation

**AGENCY:** National Indian Gaming Commission, Department of the Interior.

**ACTION:** Final rule.

**SUMMARY:** In compliance with the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (the Act) and Office of Management and Budget (OMB) guidance, the National Indian Gaming Commission (NIGC or Commission) is amending its civil monetary penalty rule to reflect an annual adjustment for inflation in order to improve the penalty’s effectiveness and maintain its deterrent effect. The Act provides that the new penalty level must apply to penalties assessed after the effective date of the increase, including when the penalties whose associated violation predate the increase.

**DATES:** This final rule is effective February 28, 2017.

**FOR FURTHER INFORMATION CONTACT:** Contact Armando J. Acosta, Senior Attorney, Office of General Counsel, National Indian Gaming Commission, at (202) 632-7003; fax (202) 632-7066 (not toll-free numbers).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On November 2, 2015, the President signed into law the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Sec. 701 of Pub. L. 114-74). Beginning in 2017, the Act requires agencies to make annual inflationary adjustments to their civil monetary penalties by January 15th of each year, in accordance with yearly OMB guidance.

##### II. Calculation of Annual Adjustment

On December 16, 2016, OMB issued guidance to agencies to calculate the annual adjustment. See Memorandum for the Heads of Executive Departments and Agencies, from Shaun Donovan, Director, Office of Management and Budget, Subject: *Implementation of the 2017 annual adjustment pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015*. According to OMB, the cost-of-living adjustment multiplier for 2017, based on the Consumer Price Index (CPI-U) for the month of October 2016, not seasonally adjusted, is 1.01636.

Pursuant to this guidance, the Commission has calculated the annual adjustment level of the civil monetary penalty contained in 25 CFR 575.4 (“The Chairman may assess a civil fine, not to exceed \$49,467 per violation, against a tribe, management contractor, or individual operating Indian gaming for each notice of violation . . .”). The 2017 adjusted level of the civil monetary penalty is \$50,276 (\$49,467 × 1.01636).

##### III. Regulatory Matters

###### *Regulatory Planning and Review*

This final rule is not a significant rule under Executive Order 12866.

(1) This rule will not have an effect of \$100 million or more on the economy or will not adversely affect, in a material way, the economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities.

(2) This rule will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency.

(3) This rule does not involve entitlements, grants, user fees, or loan programs or the rights or obligations of recipients.

(4) This regulatory change does not raise novel legal or policy issues.

###### *Regulatory Flexibility Act*

The Commission certifies that this rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because the rule makes annual adjustments for inflation.

###### *Small Business Regulatory Enforcement Fairness Act*

This final rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. It will not result in the expenditure by state, local, or tribal governments, in the aggregate, or by the

private sector of \$100 million or more in any one year. The rule will not result in a major increase in costs or prices for consumers, individual industries, federal, state, or local government agencies, or geographic regions. Nor will this rule have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of the U.S.-based enterprises to compete with foreign-based enterprises.

#### *Unfunded Mandates Reform Act*

This final rule does not impose an unfunded mandate of more than \$100 million per year on state, local, or tribal governments or the private sector. The rule also does not have a significant or unique effect on state, local, or tribal governments or the private sector. Therefore, a statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

#### *Takings*

Under the criteria in Executive Order 12630, this final rule does not affect individual property rights protected by the Fifth Amendment nor does it involve a compensable “taking.” Thus, a takings implication assessment is not required.

#### *Federalism*

Under the criteria in Executive Order 13132, this final rule has no 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.

#### *Civil Justice Reform*

This final rule complies with the requirements of Executive Order 12988. Specifically, this rule has been reviewed to eliminate errors and ambiguity and

written to minimize litigation. It is written in clear language and contains clear legal standards.

#### *Consultation With Indian Tribes*

In accordance with the President’s memorandum of April 29, 1994, *Government-to-Government Relations with Native American Tribal Governments*, Executive Order 13175 (59 FR 22951, November 6, 2000), the Commission has determined that consultations with Indian gaming tribes is not practicable, as Congress has mandated that annual civil penalty adjustments in the Act be implemented no later than January 15th of each year.

#### *Paperwork Reduction Act*

This final rule does not affect any information collections under the Paperwork Reduction Act.

#### *National Environmental Policy Act*

This final rule does not constitute a major federal action significantly affecting the quality of the human environment.

#### *Information Quality Act*

In developing this final rule, the Commission did not conduct or use a study, experiment, or survey requiring peer review under the Information Quality Act (Pub. L. 106–554).

#### *Effects on the Energy Supply*

This final rule is not a significant energy action under the definition in Executive Order 13211. A Statement of Energy Effects is not required.

#### *Clarity of This Regulation*

The Commission is required by Executive Orders 12866 and 12988 and by the Presidential Memorandum of June 1, 1998, to write all rules in plain language. This means that each rule that the Commission publishes must:

- (a) Be logically organized;

- (b) use the active voice to address readers directly;

- (c) use clear language rather than jargon;

- (d) be divided into short sections and sentences; and

- (e) use lists and tables wherever possible.

#### *Required Determinations Under the Administrative Procedure Act*

In accordance with the Act, agencies are to annually adjust civil monetary penalties without providing an opportunity for notice and comment, and without a delay in its effective date. Therefore, the Commission is not required to complete a notice and comment process prior to promulgation.

#### **List of Subjects in 25 CFR Part 575**

Administrative practice and procedure, Gaming, Indian lands, Penalties.

For the reasons set forth in the preamble, the Commission amends 25 CFR part 575 as follows:

#### **PART 575—CIVIL FINES**

- 1. The authority citation for part 575 continues to read as follows:

**Authority:** 25 U.S.C. 2705(a), 2706, 2713, 2715; and Sec. 701, Pub. L. 114–74, 129 Stat. 599.

#### **§ 575.4 [Amended]**

- 2. Amend the introductory text of § 575.4 by removing “\$49,467” and adding in its place “\$50,276”.

Dated: February 22, 2017.

**Jonodev O. Chaudhuri,**  
*Chairman.*

**Kathryn Isom-Clause,**  
*Vice Chairwoman.*

**E. Sequoyah Simermeyer,**  
*Associate Commissioner.*

[FR Doc. 2017–03858 Filed 2–27–17; 8:45 am]

**BILLING CODE 7565–01–P**

# Proposed Rules

Federal Register

Vol. 82, No. 38

Tuesday, February 28, 2017

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 39

[Docket No. FAA-2017-0016; Directorate Identifier 2016-NE-31-AD]

RIN 2120-AA64

#### Airworthiness Directives; General Electric Company Turbofan Engines

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for certain General Electric Company (GE) GENx-1B64, -1B64/P1, -1B64/P2, -1B67, -1B67/P1, -1B67/P2, -1B70, -1B70/P1, -1B70/P2, -1B70/75/P1, -1B70/75/P2, -1B70C/P1, -1B70C/P2, -1B74/75/P1, -1B74/75/P2, -1B76A/P2 turbofan engines. This proposed AD was prompted by a fracture of the fuel manifold which led to an in-flight shutdown of the engine. This proposed AD would require replacement of the outer left side signal fuel manifold with a part eligible for installation. We are proposing this AD to correct the unsafe condition on these products.

**DATES:** We must receive comments on this proposed AD by April 14, 2017.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5

p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact General Electric Company, GE-Aviation, Room 285, 1 Neumann Way, Cincinnati, OH 45215, phone: 513-552-3272; fax: 513-552-3329; email: [gae.aoc@ge.com](mailto:gae.aoc@ge.com). You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0016; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Christopher McGuire, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7120; fax: 781-238-7199; email: [chris.mcguire@faa.gov](mailto:chris.mcguire@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2017-0016; Directorate Identifier 2016-NE-31-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We

will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

#### Discussion

We received a report of an in-flight shutdown of an engine that resulted from the fracture of the fuel manifold. Investigation determined that the cause of the fracture was a defective weld joining the fuel line to the manifold. This condition, if not corrected, could result in fracture of the fuel manifold, engine fire, and damage to the airplane.

#### Related Service Information

We reviewed GE GENx-1B Service Bulletin (SB) 73-0051 R00, dated November 4, 2016; GE GENx-1B SB 73-0052 R00, dated October 28, 2016; and GE GENx-1B SB 73-0053 R00, dated November 15, 2016. These SBs describe, respectively, procedures for the inspection, repair, and replacement of the outer left side signal fuel manifold, part number 2403M46G01, and CAGE code 05813.

#### FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

#### Proposed AD Requirements

This proposed AD would require replacement of the outer left side signal fuel manifold with a part eligible for installation.

#### Differences Between This Proposed AD and the Service Information

GE GENx-1B SB 73-0053 R00, dated November 15, 2016, requires replacement of the affected fuel manifold within 60 days after the issuance of the SB. This proposed AD, based on our risk assessment of the potential for additional fractures of the fuel manifold, proposes that this replacement be done within 12 months.

#### Costs of Compliance

We estimate that this proposed AD affects 109 engines installed on airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replacement of fuel manifold .....	2 work-hours × \$85 per hour = \$170 .....	\$16,000	\$16,170	\$1,762,530

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. 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.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: “General requirements.” Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

**Regulatory Findings**

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have 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.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a “significant regulatory action” under Executive Order 12866,

(2) Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**The Proposed Amendment**

Accordingly, under the authority delegated to me by the Administrator,

the FAA proposes to amend 14 CFR part 39 as follows:

**PART 39—AIRWORTHINESS DIRECTIVES**

■ 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

**§ 39.13 [Amended]**

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**General Electric Company:** Docket No. FAA–2017–0016; Directorate Identifier 2016–NE–31–AD.

**(a) Comments Due Date**

We must receive comments by April 14, 2017.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to all GENx–1B64, –1B64/P1, –1B64/P2, –1B67, –1B67/P1, –1B67/P2, –1B70, –1B70/75/P1, –1B70/75/P2, –1B70/P1, –1B70/P2, –1B70C/P1, –1B70C/P2, –1B74/75/P1, –1B74/75/P2, –1B76A/P2 engines with outer left side signal fuel manifold, part number (P/N) 2403M46G01, and CAGE code 05813, installed.

**(d) Subject**

Joint Aircraft System Component (JASC) Code 7313, Fuel Injector Nozzle.

**(e) Unsafe Condition**

This AD was prompted by fracture of the fuel manifold which led to an in-flight shutdown of the engine. We are issuing this AD to prevent fracture of the fuel manifold, engine fire, and damage to the airplane.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

(1) Inspect the outer left side signal fuel manifold, P/N 2403M46G01 and CAGE code 05813, to determine if the part has additional marking “XB,” “INS,” or “KB” adjacent to part number. If the part is marked with “XB,” “INS,” or “KB,” then no further action is required.

(2) For parts without additional marking “XB,” “INS,” or “KB” adjacent to the part number, within 12 months after the effective date of this AD, replace the outer left side signal fuel manifold with a part eligible for installation.

**(g) Installation Prohibition**

After the effective date of this AD, do not install an outer left side signal fuel manifold,

P/N 2403M46G01, and CAGE code 05813, onto an engine, unless additional marking “XB,” “INS,” or “KB” is adjacent to the part number.

**(h) Alternative Methods of Compliance (AMOCs)**

The Manager, Engine Certification Office, FAA, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request. You may email your request to: [ANE-AD-AMOC@faa.gov](mailto:ANE-AD-AMOC@faa.gov).

**(i) Related Information**

(1) For more information about this AD, contact Christopher McGuire, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7120; fax: 781–238–7199; email: [chris.mcguire@faa.gov](mailto:chris.mcguire@faa.gov).

(2) GE GENx–1B Service Bulletin (SB) 73–0051 R00, dated November 4, 2016; GE GENx–1B SB 73–0052 R00, dated October 28, 2016; and GE GENx–1B SB 73–0053 R00, dated November 15, 2016, can be obtained from GE using the contact information in paragraph (i)(3) of this AD. These SBs, respectively, describe procedures for inspection, repair, and replacement of the outer left side signal fuel manifold.

(3) For service information identified in this proposed AD, contact General Electric Company, GE-Aviation, Room 285, 1 Neumann Way, Cincinnati, OH 45215, phone: 513–552–3272; fax: 513–552–3329; email: [geae.aoc@ge.com](mailto:geae.aoc@ge.com).

(4) You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

Issued in Burlington, Massachusetts, on February 14, 2017.

**Carlos A. Pestana,**

*Acting Assistant Manager, Engine & Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 2017–03740 Filed 2–27–17; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA–2017–0124; Directorate Identifier 2016–NM–166–AD]

**RIN 2120–AA64**

**Airworthiness Directives; Bombardier, Inc. Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for certain Bombardier, Inc. Model BD-100-1A10 airplanes. This proposed AD was prompted by several reports of nose wheel steering failures in service. This proposed AD would require a part verification and replacement of certain steering manifolds. We are proposing this AD to address the unsafe condition on these products.

**DATES:** We must receive comments on this proposed AD by April 14, 2017.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

**Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0124; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the

regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Assata Dessaline, Aerospace Engineer, Avionics and Services Branch, ANE-172, FAA, New York Aircraft Certification Office (ACO), 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7301; fax 516-794-5531.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2017-0124; Directorate Identifier 2016-NM-166-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

**Discussion**

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF-2016-24, dated August 19, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for certain Bombardier, Inc. Model BD-100-1A10 airplanes. The MCAI states:

Several cases of nose wheel steering failures have been reported in service. In one case, the aeroplane experienced uncommanded nose wheel steering, resulting in a runway excursion.

Investigations found the presence of moisture inside the electrical stage of the electro-hydraulic servo valve (EHSV) unit, which resulted in low insulation resistance and corrosion. This condition, in combination with a steering selector valve failure, could result in uncommanded nose wheel steering, which could lead to a runway excursion at high speed.

This [Canadian] AD mandates the replacement of the steering manifold to provide better moisture ingress protection of the EHSV.

You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0124.

**Related Service Information Under 1 CFR Part 51**

We reviewed Bombardier Service Bulletin 100-32-25, Revision 01, dated June 30, 2015. This service information describes procedures for a one-time verification of the steering manifold part number and replacement of the steering manifold and mod plate. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

**FAA’s Determination and Requirements of This Proposed AD**

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

**Costs of Compliance**

We estimate that this proposed AD affects 161 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

**ESTIMATED COSTS**

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Steering manifold part verification .....	1 work-hour × \$85 per hour = \$85 .....	\$0 .....	\$85 .....	\$13,685
Replacement of steering manifold .....	Up to 4 work-hours × \$85 per hour = \$340.	Up to \$18,522 .....	Up to \$18,862 .....	Up to \$3,036,782



According to the manufacturer, some of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage for affected individuals. As a result, we have included all costs in our cost estimate.

#### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. 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.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

#### Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have 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.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator,

the FAA proposes to amend 14 CFR part 39 as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

##### § 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**Bombardier, Inc.:** Docket No. FAA-2017-0124; Directorate Identifier 2016-NM-166-AD.

##### (a) Comments Due Date

We must receive comments by April 14, 2017.

##### (b) Affected ADs

None.

##### (c) Applicability

This AD applies to Bombardier, Inc. Model BD-100-1A10 airplanes, certificated in any category, as identified in Bombardier Service Bulletin 100-32-25, Revision 01, dated June 30, 2015.

##### (d) Subject

Air Transport Association (ATA) of America Code 32, Landing gear.

##### (e) Reason

This AD was prompted by several reports of nose wheel steering failures in service. We are issuing this AD to prevent moisture from entering the electrical stage of the electro-hydraulic servo valve (EHSV), which could lead to uncommanded nose wheel steering, and a consequent runway excursion at high speed.

##### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

##### (g) Verification and Replacement of Steering Manifold

Within 48 months after the effective date of this AD, do a one-time inspection to determine the part number of the steering manifold, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 100-32-25, Revision 01, dated June 30, 2015.

(1) If the airplane has steering manifold part number (P/N) 40750-103, within 48 months after the effective date of this AD, write "SB100-32-018" on the nose landing gear (NLG) mod plate. If the mod plate is missing or full, within 48 months after the effective date of this AD, install a new plate, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 100-32-25, Revision 01, dated June 30, 2015.

(2) If the airplane has steering manifold P/N 40750-101, within 48 months after the effective date of this AD, replace it in accordance with the Accomplishment Instructions of Bombardier Service Bulletin

100-32-25, Revision 01, dated June 30, 2015, and write "SB100-32-018" on the NLG mod plate. If the mod plate is missing or full, within 48 months after the effective date of this AD, install a new plate, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 100-32-25, Revision 01, dated June 30, 2015.

##### (h) Credit for Previous Actions

This paragraph provides credit for actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Bombardier Service Bulletin 100-32-25, dated September 24, 2014.

##### (i) Parts Installation Prohibition

As of the effective date of this AD, no person may install a steering manifold, P/N 40750-101, on the nose landing gear assembly of any airplane.

##### (j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York Aircraft Certification Office (ACO), ANE-170, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; fax 516-794-5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, New York ACO, ANE-170, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier, Inc.'s TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

##### (k) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian Airworthiness Directive CF-2016-24, dated August 19, 2016, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0124.

(2) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>. You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

Issued in Renton, Washington, on February 15, 2017.

Thomas Groves,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017-03712 Filed 2-27-17; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2017-0123; Directorate Identifier 2016-NM-033-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for all Airbus Defense and Space S.A. Model CN-235, CN-235-100, CN-235-200, CN-235-300, and C-295 airplanes. This proposed AD was prompted by a reported inability to extend the external handle of the emergency door from its recess due to a jammed spring mechanism. This proposed AD would require a one-time functional check of each emergency door handle, and corrective actions if necessary. We are proposing this AD to address the unsafe condition on these products.

**DATES:** We must receive comments on this proposed AD by April 14, 2017.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact EADS-CASA, Military Transport Aircraft Division (MTAD), Integrated Customer Services (ICS), Technical Services, Avenida de Aragón 404, 28022 Madrid, Spain;

telephone: +34 91 585 55 84; fax: +34 91 585 55 05; email:

*MTA.TechnicalService@casa.eads.net*; Internet: <http://www.eads.net>. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0123; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone: 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

#### FOR FURTHER INFORMATION CONTACT:

Shahram Daneshmandi, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone: 425-227-1112; fax: 425-227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2017-0123; Directorate Identifier 2016-NM-033-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

##### Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2016-0051, dated March 11, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or "the MCAI"), to correct an unsafe condition

for all Airbus Defense and Space S.A. Model CN-235, CN-235-100, CN-235-200, CN-235-300, and C-295 airplanes. The MCAI states:

Failure to extend the external handle of emergency door from its recess was reported. As a consequence, it was impossible to open the rear emergency door from outside. Subsequent investigation determined that jamming of the door spring mechanism led to failure pushing out the emergency door external handle from its position normally aligned with the door skin.

This condition, if not detected and corrected, could lead to failure to open the emergency door from outside in an emergency.

To address this potential unsafe condition, Airbus Defence&Space (D&S) issued Alert Operators Transmission (AOT) AOT-CN235-52-0001 and AOT-C295-52-0001 to provide inspection instructions [and corrective actions if necessary].

For the reasons described above, this [EASA] AD requires a one-time functional check of [each of] the affected emergency door external handle[s] and, depending on findings, [detailed visual inspection for damage or unexpected material and] corrective action [repair]. This [EASA] AD also requires reporting the check result.

You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0123.

#### Related Service Information Under 14 CFR Part 51

We reviewed the following Airbus Defense and Space service information.

- Airbus Defense and Space Alert Operators Transmission (AOT) AOT-CN235-52-0001, dated September 4, 2014.
- Airbus Defense and Space AOT-C295-52-0001, dated September 4, 2014.

The service information describes procedures for a one-time functional check of each emergency door handle and corrective actions if necessary. These documents are distinct since they apply to different airplane models. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

#### FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this

AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of these same type designs.

**Costs of Compliance**

We estimate that this proposed AD affects 27 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

**ESTIMATED COSTS**

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Functional Check .....	1 work-hour × \$85 per hour = \$85 .....	\$0	\$85	\$2,295
Reporting .....	1 work-hour × \$85 per hour = \$85 .....	0	85	2,295

We have received no definitive data that would enable us to provide cost estimates for the on-condition actions specified in this proposed AD.

**Paperwork Reduction Act**

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB control number. The control number for the collection of information required by this proposed AD is 2120-0056. The paperwork cost associated with this proposed AD has been detailed in the Costs of Compliance section of this document and includes time for reviewing instructions, as well as completing and reviewing the collection of information. Therefore, all reporting associated with this proposed AD is mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at 800 Independence Ave. SW., Washington, DC 20591, ATTN: Information Collection Clearance Officer, AES-200.

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. 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.

We are issuing this rulemaking under the authority described in “Subtitle VII, Part A, Subpart III, Section 44701: General requirements.” Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition

that is likely to exist or develop on products identified in this rulemaking action.

**Regulatory Findings**

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have 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.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a “significant regulatory action” under Executive Order 12866;
2. Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**The Proposed Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

**PART 39—AIRWORTHINESS DIRECTIVES**

- 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

**§ 39.13 [Amended]**

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**Airbus Defense and Space S.A. (formerly known as Construcciones Aeronauticas,**

**S.A.):** Docket No. FAA-2017-0123; Directorate Identifier 2016-NM-033-AD.

**(a) Comments Due Date**

We must receive comments by April 14, 2017.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Airbus Defense and Space S.A. (formerly known as Construcciones Aeronauticas, S.A.) Model CN-235, CN-235-100, CN-235-200, CN-235-300, and C-295 airplanes, certificated in any category, all manufacturer serial numbers.

**(d) Subject**

Air Transport Association (ATA) of America Code 52, Doors.

**(e) Reason**

This AD was prompted by a reported inability to extend the external handle of the emergency door from its recess due to a jammed spring mechanism. We are issuing this AD to detect and correct jamming of the door spring mechanism, which could lead to the inability to push out the emergency door external handle from its position normally aligned with the door skin. This condition could result in the inability to open the emergency door from outside during an emergency.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) One Time Functional Check**

Within 30 days after the effective date of this AD, do a one-time functional check of each emergency door handle in accordance with Airbus Defense and Space Alert Operators Transmission (AOT) AOT-CN235-52-0001, dated September 4, 2014; or Airbus Defense and Space AOT-C295-52-0001, dated September 4, 2014; as applicable.

**(h) Additional Actions for Discrepancies**

If any discrepancy (non-working emergency door handle) is found during the functional check required by paragraph (g) of this AD, before further flight, do the actions required by paragraphs (h)(1) and (h)(2) of this AD.

- (1) Accomplish a detailed visual inspection for damage and unexpected material in

accordance with Airbus Defense and Space AOT–CN235–52–0001, dated September 4, 2014; or Airbus Defense and Space AOT–C295–52–0001, dated September 4, 2014; as applicable.

(2) Before further flight, repair using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus Defense and Space S.A.’s EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

#### (i) Reporting

Submit a report of the findings (both positive and negative) from the functional test required by paragraph (g) of this AD and the inspection required by paragraph (h)(1) of this AD to Airbus Defense and Space in accordance with the instructions of Airbus Defense and Space AOT–CN235–52–0001, dated September 4, 2014; or Airbus Defense and Space AOT–C295–52–0001, dated September 4, 2014; as applicable; at the applicable time specified in paragraph (i)(1) or (i)(2) of this AD.

(1) If the functional test or inspection was done on or after the effective date of this AD: Submit the report within 30 days after the functional test or inspection.

(2) If the functional test or inspection was done before the effective date of this AD: Submit the report within 30 days after the effective date of this AD.

#### (j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN: Shahram Daneshmandi, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone: 425–227–1112; fax: 425–227–1149. Information may be emailed to: [9-ANM-116-AMOC-REQUESTS@faa.gov](mailto:9-ANM-116-AMOC-REQUESTS@faa.gov). Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer*: For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or EASA; or Airbus Defense and Space S.A.’s EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Reporting Requirements*: A federal agency may not conduct or sponsor, and a

person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES–200.

#### (k) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA AD 2016–0051, dated March 11, 2016, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA–2017–0123.

(2) For service information identified in this AD, contact EADS–CASA, Military Transport Aircraft Division (MTAD), Integrated Customer Services (ICS), Technical Services, Avenida de Aragón 404, 28022 Madrid, Spain; telephone: +34 91 585 55 84; fax: +34 91 585 55 05; email: [MTA.TechnicalService@casa.eads.net](mailto:MTA.TechnicalService@casa.eads.net); Internet: <http://www.eads.net>. You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on February 15, 2017.

**Thomas Groves,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2017–03718 Filed 2–27–17; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG–2017–0092]

RIN 1625–AA00

#### Safety Zone; City of Valdez July 4th Fireworks, Port Valdez; Valdez, AK

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish a permanent safety zone on the navigable waters of Port Valdez, Valdez, Alaska, in the vicinity of the Valdez

Spit. The proposed safety zone is necessary to protect persons and vessels from the hazards associated with the annual City of Valdez July 4th Fireworks Display event. This rule is intended to restrict vessels from a portion of the navigable waters of Port Valdez, in the immediate vicinity of the fireworks launch platforms, before, during, and immediately after the fireworks event. We invite your comments on this proposed rulemaking.

**DATES:** Comments and related material must be received by the Coast Guard on or before March 30, 2017.

**ADDRESSES:** You may submit comments identified by docket number USCG–2017–0092 using the Federal eRulemaking Portal at <http://www.regulations.gov>.

See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this proposed rulemaking, call or email Lieutenant Commander Walner W. Alvarez, Chief of Waterways Management Division, U.S. Coast Guard Marine Safety Unit Valdez; telephone (907) 835–7223, email [Walner.W.Alvarez@uscg.mil](mailto:Walner.W.Alvarez@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

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

##### II. Background, Purpose, and Legal Basis

The Coast Guard began issuing temporary final rules in 2011 to establish a safety zone during the Valdez July 4th Fireworks Display. The Coast Guard received no comments or concerns from the public when the temporary safety zones were in place. This Notice of Proposed Rulemaking proposes to permanently establish a safety zone of the exact same size and position as that which were established under the temporary final rules since 2014. The legal basis for the rule is the Coast Guard’s authority to establish limited access areas: 33 U.S.C 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Department of Homeland Security Delegation No. 0170.1.

The purpose of this rule is to enhance the safety for spectators and mariners attending a community event that involves a relatively large fireworks

display. The Coast Guard anticipates that a large number of spectators will congregate around the launch position during the display. The Captain of the Port Prince William Sound has determined that the fireworks launched near a gathering of watercrafts may pose a significant risk to public safety and property. Such hazards include premature and accidental detonations, falling and burning debris, and vessels operating in close proximity to each other. The safety zone is necessary to provide for the safety of persons and vessels attending the event in the navigable waters in the vicinity of the fireworks launch site.

### III. Discussion of Proposed Rule

The Coast Guard proposes to establish a permanent safety zone on the navigable waters of Port Valdez, within a 200 yard radius of the location where the fireworks will be launched on the Valdez Spit for the City of Valdez July 4th Fireworks Display. The proposed safety zone is necessary to ensure the safety of spectators and vessels from hazards associated with fireworks displays. The fireworks displays are expected to occur between 10:00 p.m. and 11:00 p.m. In order to coordinate the safe movement of vessels within the area and to ensure that the area is clear of unauthorized persons and vessels before, during, and immediately after the fireworks launch, this zone will be enforced from 9:30 p.m. to 11:30 p.m. Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Prince William Sound or the designated representative. Vessels will be able to transit the surrounding area and may be authorized to transit through the proposed safety zone with the permission of the COTP or the designated representative. Before activating the zone the Prince William Sound COTP will notify mariners by appropriate means including but not limited to Local Notice to Mariners and Broadcast Notice to Mariners.

This rule is being proposed to provide for the safety of life on the navigable waters during the fireworks display event, and to give the public the opportunity to comment on the proposed safety zone location, size, and length of time the zone will be activated.

### IV. Regulatory Analyses

We developed this proposed 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 NPRM has not been designated a "significant regulatory action," under Executive Order 12866. Accordingly, the NPRM 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. The Coast Guard's enforcement of the proposed safety zone will be of short duration, approximately two hours. Furthermore, vessels may be authorized to transit through the proposed safety zones with the permission of the Captain of the Port Prince William Sound, Alaska. Moreover, the Coast Guard would issue a Broadcast Notice to Mariners via VHF-FM marine channel 16 about the zone, and the rule would allow vessels to seek permission to enter the zone.

#### 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 proposed rule would 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 may be small entities, for the reasons stated in section IV.A above, this proposed rule would not have a significant economic impact on any vessel owner or operator. If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we want to assist small entities in understanding this proposed 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. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

#### C. Collection of Information

This proposed rule would 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 proposed 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 proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would 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 proposed rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

#### 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 proposed rule would not result in such an expenditure, we do discuss the

effects of this rule elsewhere in this preamble.

#### F. Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination 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 proposed rule involves the establishment of a permanent safety zone on the navigable waters of Port Valdez, in the vicinity of the Valdez Spit. Normally such actions are categorically excluded from further review under paragraph 34(g) of Figure 2–1 of Commandant Instruction M16475.ID. A preliminary environmental analysis checklist and 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 proposed 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.

#### V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal e-Rulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, you may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

Documents mentioned in this NPRM as being available in the docket, and all public comments, will be in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

#### 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 Coast Guard proposes to amend 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, 160.5; Department of Homeland Security Delegation No. 0170.1.

- 2. Add § 165.1713 to read as follows:

#### § 165.1713 Safety Zone; City of Valdez July 4th Fireworks, Port Valdez; Valdez, AK.

(a) *Regulated Area.* The following area is a permanent safety zone: All navigable waters of Port Valdez within a 200-yard radius from a position of 61°07'38" N and 146°21'17" W. This includes the entrance to the Valdez small boat harbor.

(b) *Effective date.* This rule will be effective from 9:30 p.m. until 11:30 p.m. on July 4th of each year, or during the same time frame on specified rain dates of July 5th through July 8th of each year.

(c) *Definitions.* The following definitions apply to this section:

(1) The term “designated representative” means any Coast Guard commissioned, warrant or petty officer of the U. S. Coast Guard who has been designated by the Captain of the Port (COTP), Prince William Sound, to act on his or her behalf.

(2) The term “official patrol vessel” may consist of any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP, Prince William Sound.

(d) *Regulations.*

(1) The general regulations contained in 33 CFR 165.23, as well as the following regulations, apply.

(2) The safety zone is closed to all vessel traffic, except as may be permitted by the COTP or the designated representative during periods of enforcement.

(3) All persons and vessels shall comply with the instructions of the COTP or the designated representative. Upon being hailed by a U.S. Coast Guard vessel or other official patrol vessel by siren, radio, flashing light or other means, the operator of the vessel shall proceed as directed.

(4) Vessel operators desiring to enter or operate within the regulated area may request permission from the COTP via VHF Channel 16 or (907) 835–7205 (Prince William Sound Vessel Traffic Center) to request permission to do so.

(5) The Coast Guard will issue a broadcast notice to mariners to advise mariners of the safety zone before and during the event.

(6) The COTP may be aided by other Federal, state, borough and local law enforcement officials in the enforcement of this regulation.

Dated: February 21, 2017.

**J.T. Lally,**

*Commander, U.S. Coast Guard, Captain of the Port Prince William Sound, Alaska.*

[FR Doc. 2017–03851 Filed 2–27–17; 8:45 am]

**BILLING CODE 9110–04–P**

# Notices

Federal Register

Vol. 82, No. 38

Tuesday, February 28, 2017

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

### Submission for OMB Review; Comment Request

February 23, 2017.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments are requested regarding (1) 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; (2) the accuracy of the agency's estimate of the burden including the validity of the methodology and assumptions used; (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, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by March 30, 2017 will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), *OIRA\_Submission@omb.eop.gov* or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Copies of the submission(s) may be obtained by calling (202) 720-8958.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it

displays a currently valid OMB control number.

### Food and Nutrition Service

*Title:* USDA Professional Standards Training Tracker Tool (PSTTT).

*OMB Control Number:* 0584-NEW.

*Summary of Collection:* Section 306 of the Healthy Hunger-Free Kids Act of 2010 (HHFKA) requires Professional Standards for state and local school district nutrition professionals. In addition to hiring standards, mandatory annual training will be required for all individuals involved in preparing school meals. To meet the training requirements and assist in keeping track of training and training courses, FNS is developing a web-based application tool which will be made available to local educational agencies and school food authorities through the FNS public Web site. While training requirements are mandatory, using the USDA PSTTT is voluntary. School nutrition professionals can use any method to track and manage their trainings. These resources will facilitate compliance with HHFKA requirements and will be provided at no cost to the state, district, or individuals.

*Need and Use of the Information:* State and school nutrition professionals can use the PSTTT to keep track of their training courses, learning objectives, and training hours, in accordance with HHFKA requirements. State reviewers can run reports from the PSTTT that they can use in preparation for Administrative Reviews that are conducted onsite at the school food authorities.

*Description of Respondents:* State, Local, or Tribal Government.

*Number of Respondents:* 10,006.

*Frequency of Responses:* Reporting: On occasion; Quarterly; Annually.

*Total Burden Hours:* 17,090.

**Ruth Brown,**

*Departmental Information Collection Clearance Officer.*

[FR Doc. 2017-03899 Filed 2-27-17; 8:45 am]

**BILLING CODE 3410-30-P**

## COMMISSION ON CIVIL RIGHTS

### Notice of Public Meeting of the Arkansas Advisory Committee To Discuss Civil Rights Topics in the State

**AGENCY:** U.S. Commission on Civil Rights.

**ACTION:** Announcement of meeting.

**SUMMARY:** Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Arkansas Advisory Committee (Committee) will hold a meeting on Monday, March 13, 2017, at 12:00 noon CST for the purpose of a discussion on civil rights topics affecting the state.

**DATES:** The meeting will be held on Monday, March 13, 2017, at 12:00 noon CST.

*Public Call Information:* Dial: 888-427-9376, Conference ID: 2751991.

**FOR FURTHER INFORMATION CONTACT:** David Barreras, DFO, at *dbarreras@usccr.gov* or 312-353-8311

**SUPPLEMENTARY INFORMATION:** Members of the public can listen to the discussion. This meeting is available to the public through the following toll-free call-in number: 888-427-9376, conference ID: 2751991. Any interested member of the public may call this number and listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. The conference call operator will ask callers to identify themselves, the organization they are affiliated with (if any), and an email address prior to placing callers into the conference room. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1-800-977-8339 and providing the Service with the conference call number and conference ID number.

Members of the public are also entitled to submit written comments; the comments must be received in the



regional office within 30 days following the meeting. Written comments may be mailed to the Midwestern Regional Office, U.S. Commission on Civil Rights, 55 W. Monroe St., Suite 410, Chicago, IL 60615. They may also be faxed to the Commission at (312) 353-8324, or emailed to Carolyn Allen at [callen@usccr.gov](mailto:callen@usccr.gov). Persons who desire additional information may contact the Midwestern Regional Office at (312) 353-8311.

Records generated from this meeting may be inspected and reproduced at the Midwestern Regional Office, as they become available, both before and after the meeting. Records of the meeting will be available via [www.facadatabase.gov](http://www.facadatabase.gov) under the Commission on Civil Rights, Arkansas Advisory Committee link (<http://www.facadatabase.gov/committee/meetings.aspx?cid=236>). Persons interested in the work of this Committee are directed to the Commission's Web site, <http://www.usccr.gov>, or may contact the Midwestern Regional Office at the above email or street address.

### Agenda

Welcome and Roll Call  
Minutes  
Civil Rights Topics in Arkansas  
Public Comment  
Future Plans and Actions  
Adjournment

Dated: February 22, 2017.

**David Mussatt,**

*Supervisory Chief, Regional Programs Unit.*

[FR Doc. 2017-03844 Filed 2-27-17; 8:45 am]

**BILLING CODE P**

## COMMISSION ON CIVIL RIGHTS

### Notice of Public Meeting of the Kentucky Advisory Committee

**AGENCY:** U.S. Commission on Civil Rights

**ACTION:** Notice of meeting.

**SUMMARY:** Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Kentucky (State) Advisory Committee will hold a meeting on Wednesday, March 14, 2017, for continuing committee discussion of potential project topics.

**DATES:** The meeting will be held on Wednesday, March 14, 2017 at 12:30 EST.

**ADDRESSES:** The meeting will be by teleconference. Toll-free call-in number: 1-888-438-5524, conference ID: 2287214.

**FOR FURTHER INFORMATION CONTACT:** Jeff Hinton, DFO, at [jhinton@usccr.gov](mailto:jhinton@usccr.gov) or (404) 562-7006.

**SUPPLEMENTARY INFORMATION:** Members of the public can listen to the discussion. This meeting is available to the public through the following toll-free call-in number: 1-888-438-5524, conference ID: 2287214. Any interested member of the public may call this number and listen to the meeting. Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1-800-977-8339 and providing the Service with the conference call number and conference ID number.

Members of the public are also entitled to submit written comments; the comments must be received in the regional office by March 10, 2017. Written comments may be mailed to the Southern Regional Office, U.S. Commission on Civil Rights, 61 Forsyth Street, Suite 16T126, Atlanta, GA 30303. They may also be faxed to the Commission at (404) 562-7005, or emailed to Regional Director, Jeffrey Hinton at [jhinton@usccr.gov](mailto:jhinton@usccr.gov). Persons who desire additional information may contact the Southern Regional Office at (404) 562-7000.

Records generated from this meeting may be inspected and reproduced at the Southern Regional Office, as they become available, both before and after the meeting. Records of the meeting will be available via [www.facadatabase.gov](http://www.facadatabase.gov) under the Commission on Civil Rights, South Carolina Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's Web site, <http://www.usccr.gov>, or may contact the Southern Regional Office at the above email or street address.

### Agenda

Welcome and Introductions of new advisory committee members  
Dr. Betty Griffin, Chairman  
Kentucky Advisory Committee update/discussion of potential project topics  
Dr. Betty Griffin, Chairman  
Open Comment  
Advisory Committee  
Public Participation  
Adjournment

Dated: February 22, 2017.

**David Mussatt,**

*Supervisory Chief, Regional Programs Unit.*

[FR Doc. 2017-03845 Filed 2-27-17; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### Bureau of the Census

#### Census Scientific Advisory Committee

**AGENCY:** Bureau of the Census, Department of Commerce.

**ACTION:** Notice of public meeting.

**SUMMARY:** The Bureau of the Census (Census Bureau) is giving notice of a meeting of the Census Scientific Advisory Committee (C-SAC). The Committee will address policy, research, and technical issues relating to a full range of Census Bureau programs and activities, including communications, decennial, demographic, economic, field operations, geographic, information technology, and statistics. The C-SAC will meet in a plenary session from March 30-31, 2017. Last minute changes to the schedule are possible, which could prevent giving advance public notice of schedule adjustments. Please visit the Census Advisory Committees Web site for the most current meeting agenda at: <http://www.census.gov/about/cac.html>. The meeting will be available via webcast at: <http://www.census.gov/newsroom/census-live.html> or at <http://www.ustream.tv/embed/6504322?wmode=direct>.

**DATES:** March 30-31, 2017. On Thursday, March 30, the meeting will begin at approximately 8:30 a.m. and end at approximately 5:00 p.m. On Friday, March 31, the meeting will begin at approximately 8:30 a.m. and end at approximately 3:00 p.m.

**ADDRESSES:** The meeting will be held at the U.S. Census Bureau Auditorium, 4600 Silver Hill Road, Suitland, Maryland 20746.

**FOR FURTHER INFORMATION CONTACT:** Tara Dunlop Jackson, Branch Chief for Advisory Committees, Customer Liaison and Marketing Services Office, [tara.t.dunlop@census.gov](mailto:tara.t.dunlop@census.gov), Department of Commerce, U.S. Census Bureau, Room 8H177, 4600 Silver Hill Road, Washington, DC 20233, telephone 301-763-5222. For TTY callers, please use the Federal Relay Service 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** The members of the C-SAC are appointed by the Director, U.S. Census Bureau. The



Committee provides scientific and technical expertise, as appropriate, to address Census Bureau program needs and objectives. The Committee has been established in accordance with the Federal Advisory Committee Act (Title 5, United States Code, Appendix 2, Section 10).

All meetings are open to the public. A brief period will be set aside at the meeting for public comment on March 31. However, individuals with extensive questions or statements must submit them in writing to:

*census.scientific.advisory.committee@census.gov* (subject line "March 2017 C-SAC Meeting Public Comment"), or by letter submission to Kimberly L. Leonard, Committee Liaison Officer, Department of Commerce, U.S. Census Bureau, Room 8H179, 4600 Silver Hill Road, Washington, DC 20233.

If you plan to attend the meeting, please register by Monday, March 27, 2017. You may access the online registration from the following link: [http://www.regonline.com/csac\\_meeting\\_mar2017](http://www.regonline.com/csac_meeting_mar2017). Seating is available to the public on a first-come, first-served basis.

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should also be directed to the Committee Liaison Officer as soon as known, and preferably two weeks prior to the meeting.

Due to increased security and for access to the meeting, please call 301-763-9906 upon arrival at the Census Bureau on the day of the meeting. A photo ID must be presented in order to receive your visitor's badge. Visitors are not allowed beyond the first floor.

Topics of discussion include the following items:

- 2020 Census Program Updates, with a demonstration on Census Questionnaire Assistance and Internet Self-Response
- Technical Research on Adaptive Design
- Algorithms for Including Administrative Data to Address Nonresponse Followup (NRFU) Efforts
- Economic Programs Updates
  - Edit Research Reduction
- CSAC Working Groups Progress Reports

Dated: February 21, 2017.

**John H. Thompson,**

*Director, Bureau of the Census.*

[FR Doc. 2017-03864 Filed 2-27-17; 8:45 am]

**BILLING CODE 3510-07-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* National Oceanic and Atmospheric Administration (NOAA).

*Title:* Marine Mammal Stranding Reports/Marine Mammal Rehabilitation Disposition Report/Human Interaction Data Sheet.

*OMB Control Number:* 0648-0178.

*Form Number(s):* None.

*Type of Request:* Regular (revision and extension of a currently approved information collection).

*Number of Respondents:* 400.

*Average Hours per Response:* Level A Stranding Report and Rehabilitation Disposition Report, 30 minutes each; human interaction report, 45 minutes.

*Burden Hours:* 8,238.

*Needs and Uses:* This request is for revision and extension of a currently approved information collection. A Human Interaction Data Sheet will be added to this data collection, and the currently approved forms in this collection (the Stranding Report form and Rehabilitation Disposition data sheet) have been slightly modified.

The marine mammal stranding report provides information on strandings so that the National Marine Fisheries Service (NMFS) can compile and analyze, by region, the species, numbers, conditions, and causes of illnesses and deaths in stranded marine mammals. NMFS requires this information to fulfill its management responsibilities under the Marine Mammal Protection Act (16 U.S.C. 1421a). NMFS is also responsible for the welfare of marine mammals while in rehabilitation status. The data from the marine mammal rehabilitation disposition report are required for monitoring and tracking of marine mammals held at various NMFS-authorized facilities. This information is submitted primarily by members of the marine mammal stranding networks which are authorized by NMFS. A new human interaction data sheet will provide NMFS with consistent and detailed information on signs of human interaction in stranded marine mammals. This information will assist the Agency in tracking resource

conflicts and will provide a solid scientific foundation for conservation and management of marine mammals. With a better understanding of interactions, appropriate measures can be taken to resolve conflicts and, stranding data are the best source of information regarding the occurrence of different types of human interaction.

*Affected Public:* Business and other for profit organizations; not for profit institutions; individuals and households; Federal government, state, local or tribal government.

*Frequency:* On occasion.

*Respondent's Obligation:* Mandatory.

This information collection request may be viewed at *reginfo.gov*. Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA\_Submission@omb.eop.gov* or fax to (202) 395-5806.

Dated: February 22, 2017.

**Sarah Frabson,**

*NOAA PRA Clearance Officer.*

[FR Doc. 2017-03833 Filed 2-27-17; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XF213**

#### Marine Mammals; File Nos. 16609 and 20646

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

**ACTION:** Notice; receipt of applications.

**SUMMARY:** Notice is hereby given that the Zoological Society of San Diego [Douglas Myers, Responsible Party], P.O. Box 120551, San Diego, CA 92112 (File No. 16609), and the Morgridge Institute for Research [James Thomson, Ph.D., Responsible Party], 330 N. Orchard St., Madison, WI 53715 (File No. 20646), have applied in due form for permits to import, export, and receive marine mammal parts for scientific research.

**DATES:** Written, telefaxed, or email comments must be received on or before March 30, 2017.

**ADDRESSES:** The applications and related documents are available for review by selecting "Records Open for Public Comment" from the "Features"

box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 16609 or 20646 from the list of available applications.

These documents are also available upon written request or by appointment in the Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376.

Written comments on either of these applications should be submitted to the Chief, Permits and Conservation Division, at the address listed above. Comments may also be submitted by facsimile to (301) 713-0376, or by email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include the File No. 16609 and/or 20646 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits and Conservation Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Shasta McClenahan or Jennifer Skidmore; phone: (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

*File No. 16609:* The applicant proposes to receive, import, and export biological samples to establish and bank cell lines. Samples may be received from any species of cetacean, pinniped, or sea turtle, including ESA-listed species, from up to 30 individuals of each species. The requested duration of the permit is five years.

*File No. 20646:* The applicant proposes to receive, import, and export biological samples to establish and bank cetacean stem cells. Samples may be acquired for any species of marine mammal; however, the applicant has identified 38 species of cetaceans, including ESA-listed species, to focus acquisition efforts. Up to 12 individuals of each species would be requested. In addition, eight samples (from four individual animals) currently on loan would be transferred permanently to the

applicant. The requested duration of the permit is five years.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activities proposed are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the applications to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: February 22, 2017.

**Julia Harrison,**

*Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2017-03836 Filed 2-27-17; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XF249**

#### Marine Fisheries Advisory Committee Meeting

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

**ACTION:** Notice of open public meeting.

**SUMMARY:** This notice sets forth the proposed schedule and agenda of a forthcoming meeting of the Marine Fisheries Advisory Committee (MAFAC). The members will discuss and provide advice on issues outlined under **SUPPLEMENTARY INFORMATION** below.

**DATES:** The meeting will be held March 20-22, 2017, from 8:30 a.m. to 5 p.m.

**ADDRESSES:** The meeting will be held at the Hyatt Regency Boston Harbor, 101 Harborside Drive, Boston, MA 02128; 617-568-6026.

**FOR FURTHER INFORMATION CONTACT:** Heidi Lovett, MAFAC Assistant Director; 301-427-8034; email: [Heidi.Lovett@noaa.gov](mailto:Heidi.Lovett@noaa.gov).

**SUPPLEMENTARY INFORMATION:** As required by section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. 2, notice is hereby given of a meeting of MAFAC. The MAFAC was established by the Secretary of Commerce (Secretary), and, since 1971, advises the Secretary on all living marine resource matters that are the responsibility of the Department of

Commerce. The complete charter and summaries of prior meetings are located online at <http://www.nmfs.noaa.gov/ocs/mafac/>.

#### Matters To Be Considered

This meeting time and agenda are subject to change.

The meeting is convened to hear presentations and updates and to discuss policies and guidance on the following topics: MAFAC's recommendations to the Administration; international fisheries affairs and trade; mitigation policy; meeting of the Columbia Basin Partnership Task Force; resilience working group projects; aquaculture program, science enterprise, and regional commissions updates; and the budget outlook for FY2017-2018. MAFAC will discuss various administrative and organizational matters, and meetings of standing subcommittees and working groups will be convened.

#### Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Heidi Lovett; 301-427-8034 by March 10, 2017.

Dated: February 22, 2017.

**Jennifer Lukens,**

*Director for the Office of Policy, National Marine Fisheries Service.*

[FR Doc. 2017-03865 Filed 2-27-17; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Monterey Peninsula Water Supply Project; Notice of Availability of a Draft Environmental Impact Report/ Environmental Impact Statement; Extension of Public Comment Period

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Extension of public comment period.

**SUMMARY:** On January 13, 2017 NOAA published a notice in the **Federal Register** to solicit public comment on the joint draft environmental impact report and environmental impact statement (EIR/EIS) that analyzes the potential effects on the physical and human environment related to a

proposed reverse osmosis desalination facility project within the Monterey Bay National Marine Sanctuary boundaries. This document extends the public comment period for the draft EIR/EIS until March 29, 2017.

**DATES:** The comment period for the notice published January 13, 2017 (82 FR 4302) is extended. NOAA will accept public comments on the draft EIR/EIS if they are received on or before March 29, 2017.

**ADDRESSES:** You may submit comments on this document, identified by NOAA–NOS–2016–0156, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/#!docketDetail;D=NOAA-NOS-2016-0156](http://www.regulations.gov/#!docketDetail;D=NOAA-NOS-2016-0156), click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to MBNMS Project Lead for CalAm Desalination Project, 99 Pacific Ave., BLDG 455a, Monterey, CA 93940.

- **Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NOAA. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://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 will be publicly accessible. NOAA will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

**FOR FURTHER INFORMATION CONTACT:**

Karen Grimmer at 99 Pacific Ave., BLDG 455a, Monterey, CA 93940, 831–647–4253, or [mbnms.comments@noaa.gov](mailto:mbnms.comments@noaa.gov).

**SUPPLEMENTARY INFORMATION:** As discussed in the January 13, 2017 notice (82 FR 4302), a permit application was submitted by California American Water Company (CalAm) to NOAA’s Monterey Bay National Marine Sanctuary (MBNMS) for construction and operation of its proposed Monterey Peninsula Water Supply Project (MPWSP or Project) in order to supplement existing water supplies for CalAm’s Monterey District service area. NOAA’s proposed action would be whether to approve the installation of a subsurface seawater intake system, the discharge of brine into MBNMS via an existing outfall pipe, and the continued presence of pipelines in MBNMS to

transport seawater to a desalination facility.

The joint draft environmental impact report and environmental impact statement (EIR/EIS) was prepared in accordance with Section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969, as amended, and the White House Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (CEQ NEPA Regulations). NOAA is seeking public comment on the DEIR/DEIS, which is available at <http://montereybay.noaa.gov> or may be obtained by contacting the individual listed under the heading **FOR FURTHER INFORMATION CONTACT**. The original comment period was to end on February 27, 2017.

Due to the length of the document, NOAA and its state partner have received a request to extend the public comment period to allow for additional review time. An extension of the public comment period may also benefit other interested stakeholders. Therefore, NOAA has extended the deadline by 30 days, or until March 29, 2017.

**Authority:** 16 U.S.C. 1431 *et seq.*

Dated: February 16, 2017.

**John Armor,**

*Director for the Office of National Marine Sanctuaries.*

[FR Doc. 2017–03747 Filed 2–27–17; 8:45 am]

**BILLING CODE 3510–NK–P**

## DEPARTMENT OF DEFENSE

### Department of the Army

[Docket ID USA–2016–HQ–0037]

#### Submission for OMB Review; Comment Request

**ACTION:** Notice.

**SUMMARY:** The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

**DATES:** Consideration will be given to all comments received by March 30, 2017.

**FOR FURTHER INFORMATION CONTACT:** Fred Licari, 571–372–0493.

**SUPPLEMENTARY INFORMATION:**

*Title, Associated Form and OMB Number:* Suppliers Self-Services—SUS; OMB Control Number 0702–0126.

*Type of Request:* Revision.

*Number of Respondents:* 2,167.

*Responses per Respondent:* 12.

*Annual Responses:* 26,004.

*Average Burden per Response:* 6 minutes.

*Annual Burden Hours:* 2,600.

*Needs and Uses:* The information collection requirement via SUS is necessary to reduce the amount and complexity of required input by vendors that manually enter invoice data into Wide Area Workflow (WAWF) (not those utilizing Electronic Data Interchange (EDI)). By pre-populating fields with accurate and up-to-date contract information, vendors are required to input significantly less data. Additionally, SUS simultaneously performs a front-end validation of submitted data, thus ensuring less manual intervention and fewer interest penalties incurred by the government.

*Affected Public:* Business or other for-profit.

*Frequency:* On occasion.

*Respondent’s Obligation:* Voluntary.

*OMB Desk Officer:* Ms. Jasmeet Seehra.

Comments and recommendations on the proposed information collection should be emailed to Ms. Jasmeet Seehra, DoD Desk Officer, at [Oira\\_submission@omb.eop.gov](mailto:Oira_submission@omb.eop.gov). Please identify the proposed information collection by DoD Desk Officer and the Docket ID number and title of the information collection.

You may also submit comments and recommendations, identified by Docket ID number and title, by the following method:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.

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

*DoD Clearance Officer:* Mr. Frederick Licari.

Written requests for copies of the information collection proposal should be sent to Mr. Licari at WHS/ESD Directives Division, 4800 Mark Center Drive, East Tower, Suite 03F09, Alexandria, VA 22350–3100.

Dated: February 16, 2017.

**Aaron Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2017–03434 Filed 2–27–17; 8:45 am]

**BILLING CODE 5001–06–P**

**DEPARTMENT OF DEFENSE****Office of the Secretary****[Docket ID DOD–2014–OS–0077]****Submission for OMB Review;  
Comment Request****ACTION:** Notice.

**SUMMARY:** The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

**DATES:** Consideration will be given to all comments received by March 30, 2017.

**FOR FURTHER INFORMATION CONTACT:** Fred Licari, 571–372–0493.

**SUPPLEMENTARY INFORMATION:**

*Title, Associated Form and OMB Number:* National Industrial Security Program Cost Collection Survey; DSS Form 232; OMB Control Number 0704–0458.

*Type of Request:* Reinstatement.

*Number of Respondents:* 1,014.

*Responses per Respondent:* 1.

*Annual Responses:* 1,014.

*Average Burden per Response:* 30 minutes.

*Annual Burden Hours:* 507.

*Needs and Uses:* The collection allows the Defense Security Service (DSS) to account each year for the costs associated with implementation of the National Industrial Security Program. It also allows DSS to report those costs to the Director of the Information Security Oversight Office, as required by Executive Order 12829, “National Industrial Security Program.”

*Affected Public:* Business or other for-profit; Not-for-profit institutions.

*Frequency:* Annually.

*Respondent’s Obligation:* Voluntary.

*OMB Desk Officer:* Ms. Jasmeet Sehra.

Comments and recommendations on the proposed information collection should be emailed to Ms. Jasmeet Sehra, DoD Desk Officer, at [Oira\\_submission@omb.eop.gov](mailto:Oira_submission@omb.eop.gov). Please identify the proposed information collection by DoD Desk Officer and the Docket ID number and title of the information collection.

You may also submit comments and recommendations, identified by Docket ID number and title, by the following method:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

*Instructions:* All submissions received must include the agency name, Docket ID number and title for this **Federal Register** document. The general policy

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

*DOD Clearance Officer:* Mr. Frederick Licari.

Written requests for copies of the information collection proposal should be sent to Mr. Licari at WHS/ESD Directives Division, 4800 Mark Center Drive, East Tower, Suite 03F09, Alexandria, VA 22350–3100.

Dated: February 23, 2017.

**Aaron Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2017–03876 Filed 2–27–17; 8:45 am]

**BILLING CODE 5001–06–P**

**DEPARTMENT OF DEFENSE****Office of the Secretary****[Docket ID DOD–2017–OS–0008]****Proposed Collection; Comment Request**

**AGENCY:** Office of the Under Secretary of Defense for Personnel and Readiness OUSD (P&R), Federal Voting Assistance Program (FVAP), DoD.

**ACTION:** Notice.

**SUMMARY:** In compliance with the *Paperwork Reduction Act of 1995*, the Office of the Under Secretary of Defense for Personnel and Readiness announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency’s estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by May 1, 2017.

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

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate for Oversight and Compliance, Regulatory and Advisory Committee Division, 4800 Mark Center Drive, Mailbox #24, Suite 08D09B, Alexandria, VA 22350–1700.

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

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

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Federal Voting Assistance Program, ATTN: Scott Wiedmann, 4800 Mark Center Drive, Mailbox 10, Alexandria, Virginia 22350–5000.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Federal Voting Assistance Program, ATTN: Scott Wiedmann, 4800 Mark Center Drive, Mailbox 10, Alexandria, Virginia 22350–5000.

**SUPPLEMENTARY INFORMATION:**  
*Title, Associated Form; and OMB Number:* Federal Post Card Application (FPCA), Standard Form 76 (SF–76); OMB Control Number 0704–0503.  
*Needs and Uses:* The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), 52 U.S.C. 203, requires the Presidential designee (Secretary of Defense) to prescribe official forms, containing an absentee voter registration application, an absentee ballot request application and a backup ballot for use by the States to permit absent uniformed services voters and overseas voters to participate in general, special, primary and runoff elections for Federal office. The authority for the States to collect personal information comes from UOCAVA. The burden for collecting this information resides in the States. The Federal government neither collects nor retains any personal information associated with these forms.

The collected information will be used by election officials to process uniformed service members, spouses and overseas citizens who submit their information to register to vote, receive an absentee ballot or cast a write-in

ballot. The collected information will be retained by election officials to provide election materials, including absentee ballots, to the uniformed services, their eligible family members and overseas voters during the form's eligibility period provided by State law. No information from the Federal Post Card Application (FPCA) is collected or retained by the Federal government.

*Affected Public:* Individuals or Households.

*Annual Burden Hours:* 300,000.

*Number of Respondents:* 1,200,000.

*Responses per Respondent:* 1.

*Annual Responses:* 1,200,000.

*Average Burden per Response:* 15 minutes.

*Frequency:* On occasion.

The applicant is required to update and resubmit the information annually, whenever they change their mailing address or as otherwise required by State law. If the information is not submitted annually or whenever they change their mailing address, the applicant may not receive ballots for elections for Federal office in that calendar year.

Dated: February 23, 2017.

**Aaron Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2017-03894 Filed 2-27-17; 8:45 am]

**BILLING CODE 5001-06-P**

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## DEPARTMENT OF EDUCATION

### National Assessment Governing Board Quarterly Board Meeting

**AGENCY:** National Assessment Governing Board, U.S. Department of Education.

**ACTION:** Announcement of open and closed meetings.

**SUMMARY:** This notice sets forth the agenda for the March 2–4, 2017 Quarterly Board Meeting of the National Assessment Governing Board (hereafter referred to as Governing Board). This notice provides information to members of the public who may be interested in attending the meeting or providing written comments on the meeting. Due to unavoidable delays during the Administration transition, this notice is being posted less than 15 days prior to the Board meeting date.

**DATES:** The Quarterly Board Meeting will be held on the following dates:

- March 2, 2017 from 9:00 a.m. to 6:00 p.m.
- March 3, 2017 from 8:30 a.m. to 5:00 p.m.
- March 4, 2017 from 7:30 a.m. to 11:45 a.m.

**ADDRESSES:** Hilton Alexandria Old Town, 1767 King Street, Alexandria, Virginia 22314.

**FOR FURTHER INFORMATION CONTACT:** Munira Mwalimu, Executive Officer/ Designated Federal Official of the Governing Board, 800 North Capitol Street NW., Suite 825, Washington, DC 20002, telephone: (202) 357-6938, fax: (202) 357-6945.

**SUPPLEMENTARY INFORMATION:**

*Statutory Authority and Function:* The Governing Board is established under the National Assessment of Educational Progress Authorization Act, Title III of Public Law 107-279. Information on the Governing Board and its work can be found at [www.nagb.gov](http://www.nagb.gov).

The Governing Board is established to formulate policy for the National Assessment of Educational Progress (NAEP). The Governing Board's responsibilities include the following: Selecting subject areas to be assessed, developing assessment frameworks and specifications, developing appropriate student achievement levels for each grade and subject tested, developing standards and procedures for interstate and national comparisons, improving the form and use of NAEP, developing guidelines for reporting and disseminating results, and releasing initial NAEP results to the public.

#### March 2–4, 2017 Committee Meetings

The Governing Board's standing committees will meet to conduct regularly scheduled work based on agenda items planned for this Quarterly Board Meeting and follow-up items as reported in the Governing Board's committee meeting minutes available at <http://nagb.gov/what-we-do/board-committee-reports-and-agendas.html>.

#### Detailed Meeting Agenda: March 2–4, 2017

*March 2: Symposium and Committee Meetings: NAEP Long-Term Trend Symposium:* Open Session: 9:00 a.m. to 11:45 a.m.

*Assessment Development Committee (ADC):* Closed Session: 1:00 p.m. to 4:00 p.m.

*Committee on Standards, Design and Methodology (COSDAM):* Open Session: 1:30 p.m. to 4:00 p.m.

*Reporting and Dissemination Committee (R&D):* Open Session: 1:30 p.m. to 3:00 p.m.

*Executive Committee:* Open Session: 4:30 p.m. to 5:15 p.m.; Closed Session: 5:15 p.m. to 6:00 p.m.

#### March 3: Full Governing Board and Committee Meetings

*Full Governing Board:* Open Session: 8:30 a.m. to 9:45 a.m.; 12:15 p.m. to 5:00 p.m.

*Committee Meetings:*

*ADC and COSDAM:* Joint Open Session: 10:00 a.m. to 11:00 a.m.

*ADC:* Open Session: 11:00 a.m. to 12:00 p.m.

*COSDAM:* Open Session: 11:00 a.m. to 12:00 p.m.

*R&D:* Open Session 10:00 a.m. to 12:00 p.m.

#### March 4: Full Governing Board and Committee Meetings

*Nominations Committee:* Closed Session: 7:30 a.m. to 8:10 a.m.; Open Session: 8:10 a.m. to 8:15 a.m.

*Full Governing Board:* Closed Session: 8:30 a.m. to 8:50 a.m.; Open Session: 8:50 a.m. to 10:15 a.m.; Closed Session: 10:30 a.m. to 11:45 a.m.

On Thursday, March 2, 2017, the Governing Board will convene a symposium in open session on NAEP Long-Term Trend from 9:00 a.m. to 11:45 a.m. Thereafter, the standing committees will meet. ADC will meet in closed session from 1:00 p.m. to 4:00 p.m. to review secure digital-based tasks for the grade 12 NAEP Science assessment and secure task sketches for the NAEP Mathematics assessment at grades 4 and 8, as well as secure Long-Term Trend Reading and Mathematics items. This meeting must be conducted in closed session because the test items are secure and have not been released to the public. Public disclosure of the secure test items would significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B) of § 552b(c) of Title 5 of the United States Code.

COSDAM will meet in open session from 1:30 p.m. to 4:00 p.m. R&D will meet in open session from 1:30 p.m. to 3:00 p.m. The Executive Committee will meet in open session on March 2, 2017 from 4:30 p.m. to 5:15 p.m. and in closed session from 5:15 p.m. to 6:00 p.m. During the closed session, the Executive Committee will receive and discuss cost estimates and implications for implementing the Long-Term Trend assessment. This meeting must be conducted in closed session because public disclosure of this information would likely have an adverse financial effect on the NAEP program by providing confidential cost details and proprietary contract costs of current NAEP contractors to the public. Discussion of this information would be likely to significantly impede

implementation of a proposed agency action if conducted in open session. Such matters are protected by exemption 9(B) of section 552b of Title 5 of the United States Code.

On Friday, March 3, the full Governing Board will meet in open session from 8:30 a.m. to 9:45 a.m. The Governing Board will review and approve the March 2–4, 2017 Board meeting agenda and meeting minutes from the November 2016 Quarterly Board Meeting. Thereafter, the Chairman, Terry Mazany will administer the oath of office to a new Board member, following which he will introduce the Governing Board's new Deputy Executive Director and provide remarks.

This session will be followed by a report from the Executive Director of the Governing Board, William Bushaw, followed by an update on National Center for Education Statistics (NCES) work by Peggy Carr, Acting Commissioner of NCES.

The Governing Board will recess for committee meetings at 9:45 a.m. The committee meetings are scheduled to take place from 10:00 a.m. to 12:00 p.m. to conduct regularly scheduled work. ADC will meet in a joint open session with COSDAM from 10:00 a.m. to 11:00 a.m. Thereafter the two committees will meet separately in open session from 11:00 a.m. to 12:00 p.m. R&D will meet in open session from 10:00 a.m. to 12:00 p.m.

Following the committee meetings on Friday, March 3, the Governing Board will meet in open session from 12:15 p.m. to 1:45 p.m. for a panel discussion on the topic of High School Graduates on the Path to Middle Skills Jobs. Following a short break scheduled from 1:45 p.m. to 2:00 p.m., the Governing Board will meet in open session from 2:00 p.m. to 5:00 p.m.

From 2:00 p.m. to 2:45 p.m., the Governing Board will engage in follow up discussions on the Long-Term Trend Symposium. From 2:45 p.m. to 3:30 p.m., the Board will have a discussion on the Response to the Achievement Levels Evaluation.

Thereafter, the Governing Board will take a fifteen-minute break and reconvene in open session from 4:00 p.m. to 5:00 p.m. to receive a briefing from Executive Director of the Council of Chief State School Officers (CCSSO) Chris Minnich, and from the CCSSO/ Governing Board Policy Task Force Chair Shelly Loving-Ryder.

The March 3, 2017 meeting will adjourn at 5:00 p.m.

On March 4, the Nominations Committee will meet in closed session from 7:30 a.m. to 8:10 a.m. The

committee will discuss the final slate of nominations for Governing Board vacancies for terms beginning on October 1, 2017. The Nominations Committee's discussions pertain solely to internal personnel rules and practices of an agency and information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy. As such, the discussions are protected by exemptions 2 and 6 of § 552b(c) of Title 5 of the United States Code.

The Nominations Committee will meet in open session on March 4 from 8:10 a.m. to 8:15 a.m. to take action on the final candidates recommended for open positions to be submitted to the Secretary of Education. On March 4, the Governing Board will meet in closed session from 8:30 a.m. to 8:50 a.m. to receive a briefing from the Nominations Committee on the recommended final slate of candidates for Board vacancies for terms beginning October 1, 2017. For the reasons noted above, these discussions are also protected by exemptions 2 and 6 of § 552b(c) of Title 5 of the United States Code. Thereafter, from 8:50 a.m. to 9:00 a.m., the Board will meet in open session to take action on the final slate of candidates for submission to the Secretary of Education.

The Governing Board will meet in open session from 9:00 a.m. to 9:30 a.m. to discuss the Governing Board's Strategic Vision, and the Chairman's charge to the committees.

The Governing Board will then take a fifteen minute break and reconvene in open session from 9:45 a.m. to 10:15 a.m. to receive an update on committee reports and take action on the R&D recommended Guidelines for Releasing, Reporting and Disseminating Results.

The Governing Board will take another 15 minute break from 10:15 a.m. to 10:30 a.m. and then reconvene in closed session to receive a briefing on the 2016 NAEP Arts Assessment Report. This meeting is being conducted in closed session because the NAEP Arts Assessment data has not been released to the public. Public disclosure of the secure data would significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B) of § 552b of Title 5 of the United States Code.

The March 4, 2017 meeting is scheduled to adjourn at 11:45 a.m.

*Access to Records of the Meeting:* Pursuant to FACA requirements, the public may also inspect the meeting materials at [www.nagb.gov](http://www.nagb.gov) beginning on Thursday, March 2, 2017 by 10:00 a.m. ET. The official verbatim transcripts of

the public meeting sessions will be available for public inspection no later than 30 calendar days following the meeting.

*Reasonable Accommodations:* The meeting site is accessible to individuals with disabilities. If you will need an auxiliary aid or service to participate in the meeting (e.g., interpreting service, assistive listening device, or materials in an alternate format), notify the contact person listed in this notice at least two weeks before the scheduled meeting date. Although we will attempt to meet a request received after that date, we may not be able to make available the requested auxiliary aid or service because of insufficient time to arrange it.

*Electronic Access to this Document:* The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys). At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the Adobe Web site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

**Authority:** Pub. L. 107–279, Title III—National Assessment of Educational Progress § 301.

Dated: February 22, 2017.

**Munira Mwalimu,**

*Designated Federal Official, National Assessment Governing Board (NAGB), U. S. Department of Education.*

[FR Doc. 2017–03832 Filed 2–27–17; 8:45 am]

**BILLING CODE P**

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project Nos., 7920–004, 7921–006, and 7922–004]

#### Alden Hydro, LLC, Tridam Energy LLC; Notice of Transfer of Exemption

By letter filed September 1, 2015, Brendan Finnegan, Owner, Tridam Energy LLC, informed the Commission that the exemption from licensing for

the Waterloom Falls Project No. 7920, originally issued March 11, 1985,<sup>1</sup> the Otis Falls Project No. 7921, originally issued March 11, 1985,<sup>2</sup> and the Chamberlain Falls Project No. 7922, originally issued March 11, 1985,<sup>3</sup> have been transferred to Tridam Energy LLC, effective June 2014. The projects are located on the Souhegan River in Hillsboro County, New Hampshire. The transfer of an exemption does not require Commission approval.

Tridam Energy, LLC is now the exemptee of the Waterloom Falls Project No. 7920, the Otis Falls Project No. 7921, and the Chamberlain Falls Project No. 7922. All correspondence should be forwarded to: Mr. Brendan Finnegan, Owner, Tridam Energy LLC, 251 Heath Street, Apt #105, Jamaica Plain, MA 02130, Phone: 781-223-6637, Email: [bfinnegan14@gmail.com](mailto:bfinnegan14@gmail.com).

Dated: February 22, 2017.

**Kimberly D. Bose,**

Secretary.

[FR Doc. 2017-03841 Filed 2-27-17; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP17-58-000]

#### Transcontinental Gas Pipe Line Company, LLC; Notice of Application

Take notice that on February 6, 2017, Transcontinental Gas Pipe Line Company, LLC. (Transco) 2800 Post Oak Boulevard, Houston, Texas 77056-6106, filed an application pursuant to section 7(c) of the Natural Gas Act (NGA) and the Federal Energy Regulatory Commission's (Commission) regulations seeking authorization to construct and operate the St. James Supply Project (Project) in St. James Parish, Louisiana, all as more fully described in the application which is on file with the Commission and open to public inspection. The filing may also be viewed on the web 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, contact FERC at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call

toll-free, (866) 208-3676 or TTY, (202) 502-8659.

Any questions regarding this application should be directed to Charlotte Hutson, Transcontinental Gas Pipeline Company, LLC, Post Office Box 1396, Houston, TX 77251-1396, or call (713) 215-4060, or by email: [charlotte.a.hutson@williams.com](mailto:charlotte.a.hutson@williams.com).

Specifically, Transco states that the Project will enable it to provide 161,500 dekatherms per day natural gas of incremental firm transportation capacity from Transco's existing Station 65 zone 3 pool in St. Helena Parish, Louisiana southward along the Southeast Louisiana Lateral and through the St. James Supply Lateral to the Yuhuang Chemical Plant. The facilities to be installed by Transco in the Project include: (1) The 0.72 mile, 20-inch-diameter St. James Supply Lateral and the associated Old River Road metering and regulation (M&R) station at the interconnection with the Yuhuang Chemical Plant in St. James Parish, Louisiana; (2) piping and valve installation required to tie in the Old River Road M&R station with the existing Southeast Louisiana Lateral "B" and Southeast Louisiana Lateral "C" at approximately milepost (MP) 72.37; (3) piping and valve modifications at existing Compressor Station (CS) 63 in St. James Parish, Louisiana to allow gas to flow south along the Southeast Louisiana Lateral; (4) piping and valve modifications at existing CS 65 in St. Helena Parish, Louisiana to allow for bi-directional flow of gas; and (5) the proposed Cajun Road M&R station, located on Transco's mainline at the interconnection with Texas Eastern Transmission Company at approximately MP 581.33 in Pointe Coupee Parish, Louisiana.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of

the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 7 copies of filings made in the proceeding with the Commission and must mail a copy to the applicant and to every other party. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentors will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

<sup>1</sup> Order Granting Exemption From Licensing of a Small Hydroelectric Project of 5 Megawatts or Less. *Alden T. Greenwood*, 30 FERC ¶ 62,256 (1985).

<sup>2</sup> Order Granting Exemption From Licensing of a Small Hydroelectric Project of 5 Megawatts or Less. *Alden T. Greenwood*, 30 FERC ¶ 62,267 (1985).

<sup>3</sup> Order Granting Exemption From Licensing of a Small Hydroelectric Project of 5 Megawatts or Less. *Alden T. Greenwood*, 30 FERC ¶ 62,257 (1985).



The Commission strongly encourages electronic filings of comments, 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.

Comment Date: 5:00 p.m. Eastern Time on March 14, 2017.

Dated: February 21, 2017.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2017-03842 Filed 2-27-17; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. AD16-3-000]

#### Notice of Availability of the Final Guidance Manual for Environmental Report Preparation

The staff of the Federal Energy Regulatory Commission’s (FERC or Commission) Office of Energy Projects has finalized its revised *Guidance Manual for Environmental Report Preparation (Guidance Manual)*, which was issued in draft form on December 18, 2015, for comment. The *Guidance Manual* has been revised to incorporate changed regulations; provide updated guidance on how to prepare resource reports and how interstate and liquefied natural gas (LNG) projects may demonstrate compliance with certain regulatory requirements; and address substantive comments received on the draft *Guidance Manual*.

The *Guidance Manual* can be found in Docket Number AD16-3-000. The full text of the *Guidance Manual* can be viewed on the Commission’s Web site at <http://www.ferc.gov/industries/gas/enviro/guidelines.asp>.

Applicable sections of Title 18 of the Code of Federal Regulations are referenced or summarized throughout the *Guidance Manual*. The *Guidance Manual* is intended to provide guidance to the industry. This manual does not substitute for, amend, or supersede the Commission’s regulations under the Natural Gas Act of 1938 or the Commission’s and Council on Environmental Quality’s regulations under the National Environmental Policy Act. It imposes no new legal obligations and grants no additional rights. Comments on the draft *Guidance Manual* that addressed only the text of

regulations were not incorporated in the final *Guidance Manual*.

In response to the draft *Guidance Manual*, Commission staff received comments from a variety of industry representatives, trade associations, federal and state agencies, non-governmental organizations, public interest groups, consultants, and other interested parties. Staff reviewed and considered each comment and modified several portions of the document in response. Staff declined to modify the document where comments either were too project- or location-specific to be included in general guidance, were already adequately/accurately addressed as written, or regarded topics that were not relevant to the *Guidance Manual* or resource report preparation.

The *Guidance Manual* is divided into two volumes. Volume 1 relates to the preparation of resource reports for both interstate natural gas projects and Commission-jurisdictional LNG facilities. Volume 2 is specific to LNG facilities and is intended to replace a series of staff’s previously developed guidance documents about the preparation and review of LNG applications: *Draft Guidance on Resource Report 11 and 13* issued on December 15, 2005, *Draft Preferred Format Submittal Guidance* issued on April 12, 2006, and *Draft FERC Seismic Design Guidelines and Data Submittal Requirements for LNG Facilities* issued on January 23, 2007. These documents should be considered obsolete.

All of the information related to the proposed updates to the *Guidance Manual* and submitted comments can be found on the FERC Web site ([www.ferc.gov](http://www.ferc.gov)) using the eLibrary link. Click on the eLibrary link, click on “Docket Search” and in the Docket Number field enter the docket number “AD16-3,” excluding the last three digits. For assistance, please contact FERC Online Support at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to formal documents issued by the Commission, such as orders, notices, and rulemakings.

Dated: February 22, 2017.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2017-03840 Filed 2-27-17; 8:45 am]

BILLING CODE 6717-01-P

## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0967]

### Information Collection Being Reviewed by the Federal Communications Commission

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission’s burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written comments should be submitted on or before May 1, 2017. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

**SUPPLEMENTARY INFORMATION:** As part of its continuing effort to reduce paperwork burdens, and as required by the PRA of 1995 (44 U.S.C. 3501-3520),



the FCC invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

*OMB Control No.:* 3060-0967.

*Title:* Section 79.2, Accessibility of Programming Providing Emergency Information, and Emergency Information; Section 79.105, Video Description and Emergency Information Accessibility Requirements for All Apparatus; Section 79.106, Video Description and Emergency Information Accessibility Requirements for Recording Devices.

*Form No.:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Individuals or households; Business or other for-profit; Not-for-profit institutions; and State, local, or tribal governments.

*Number of Respondents and Responses:* 61 respondents; 161 responses.

*Estimated Time per Response:* 0.5 to 5 hours.

*Frequency of Response:* On occasion reporting requirement; Third party disclosure requirement.

*Obligation To Respond:* Voluntary. The statutory authority for the collection is contained in the Twenty-First Century Communications and Video Accessibility Act of 2010, Pub. L. 111-260, 124 Stat. 2751, and sections 4(i), 4(j), 303, 330(b), 713, and 716 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 303, 330(b), 613, and 617.

*Total Annual Burden:* 175 hours.

*Annual Cost Burden:* \$15,300.

*Nature and Extent of Confidentiality:* Confidentiality is an issue to the extent that individuals and households provide personally identifiable information, which is covered under the FCC's updated system of records notice (SORN), FCC/CGB-1, "Informal Complaints, Inquiries, and Requests for Dispute Assistance," which became

effective on September 24, 2014. The Commission believes that it provides sufficient safeguards to protect the privacy of individuals who file complaints alleging violations of the Commission's televised emergency information rules, 47 CFR 79.2, and complaints alleging violations of the apparatus emergency information and video description requirements, 47 CFR 79.105-79.106.

*Privacy Act Impact Assessment:* The Privacy Impact Assessment (PIA) for Informal Complaints, Inquiries, and Requests for Dispute Assistance was completed on June 28, 2007. It may be reviewed at <http://www.fcc.gov/omd/privacyact/Privacy-Impact-Assessment.html>. The Commission is in the process of updating the PIA to incorporate various revisions to it as a result of revisions to the SORN.

*Needs and Uses:* In 2000, the Commission adopted rules to require video programming distributors (VPDs) to make emergency information provided in the audio portion of the programming accessible to viewers who have hearing disabilities. *Second Report and Order*, MM Docket No. 95-176, FCC 00-136. Later that year, to ensure that televised emergency information is accessible to viewers who are blind or visually impaired, the Commission modified its rules to require VPDs to make emergency information audible when provided in the video portion of a regularly scheduled newscast or a newscast that interrupts regular programming, and to provide an aural tone when emergency information is provided visually during regular programming (e.g., through screen crawls or scrolls). *Report and Order*, MM Docket No. 99-339, FCC 00-258.

In 2013, the Commission adopted rules related to accessible emergency information and apparatus requirements for emergency information and video description. *Report and Order and Further Notice of Proposed Rulemaking*, MB Docket Nos. 12-107 and 11-43, FCC 13-45. Specifically, the Commission's rules require that VPDs and video programming providers (VPPs) (including program owners) make emergency information accessible to individuals who are blind or visually impaired by using a secondary audio stream to convey televised emergency information aurally, when such information is conveyed visually during programming other than newscasts. The Commission's rules also require certain apparatus that receive, play back, or record video programming to make available video description services and accessible emergency information.

Finally, in 2015, the Commission adopted rules to require the following: (1) Apparatus manufacturers must provide a mechanism that is simple and easy to use for activating the secondary audio stream to access audible emergency information; and (2) starting no later than July 10, 2017, multichannel video programming distributors (MVPDs) must pass through the secondary audio stream containing audible emergency information when it is provided on linear programming accessed on second screen devices (e.g., tablets, smartphones, laptops and similar devices) over their networks as part of their MVPD services. *Second Report and Order and Second Further Notice of Proposed Rulemaking*, MB Docket No. 12-107, FCC 15-56.

These rules are codified at 47 CFR 79.2, 79.105, and 79.106.

*Information Collection Requirements:* (a) Complaints alleging violations of the emergency information rules.

Section 79.2(c) of the Commission's rules provides that a complaint alleging a violation of § 79.2 of its rules, may be transmitted to the Consumer and Governmental Affairs Bureau by any reasonable means, such as the Commission's online informal complaint filing system, letter, facsimile transmission, telephone (voice/TRS/TTY), Internet email, audio-cassette recording, Braille, or some other method that would best accommodate the complainant's disability. After the Commission receives the complaint, the Commission notifies the VPD or VPP of the complaint, and the VPD or VPP has 30 days to reply.

(b) Complaints alleging violations of the apparatus emergency information and video description requirements.

Complaints alleging violations of the rules containing apparatus emergency information and video description requirements, 47 CFR 79.105-79.106, may be transmitted to the Consumer and Governmental Affairs Bureau by any reasonable means, such as the Commission's online informal complaint filing system, letter in writing or Braille, facsimile transmission, telephone (voice/TRS/TTY), email, or some other method that would best accommodate the complainant's disability. Given that the population intended to benefit from the rules adopted will be blind or visually impaired, if a complainant calls the Commission for assistance in preparing a complaint, Commission staff will document the complaint in writing for the consumer. The Commission will forward such complaints, as appropriate, to the named manufacturer or provider for its response, as well as

to any other entity that Commission staff determines may be involved, and may request additional information from any relevant parties when, in the estimation of Commission staff, such information is needed to investigate the complaint or adjudicate potential violations of Commission rules.

(c) Requests for Commission determination of technical feasibility of emergency information and video description apparatus requirements.

The requirements pertaining to apparatus designed to receive or play back video programming apply only to the extent they are "technically feasible." Parties may raise technical infeasibility as a defense when faced with a complaint alleging a violation of the apparatus requirements or they may file a request for a ruling under section 1.41 of the Commission's rules as to technical infeasibility before manufacturing or importing the product.

(d) Requests for Commission determination of achievability of emergency information and video description apparatus requirements.

The requirements pertaining to certain apparatus designed to receive, play back, or record video programming apply only to the extent they are achievable. Manufacturers of apparatus that use a picture screen of less than 13 inches in size and of recording devices may petition the Commission, pursuant to 47 CFR 1.41, for a full or partial exemption from the video description and emergency information requirements before manufacturing or importing the apparatus. Alternatively, manufacturers may assert that a particular apparatus is fully or partially exempt as a response to a complaint, which the Commission may dismiss upon a finding that the requirements of this section are not achievable. A petition for exemption or a response to a complaint must be supported with sufficient evidence to demonstrate that compliance with the requirements is not achievable (meaning with reasonable effort or expense), and the Commission will consider four specific factors when making such a determination.

(e) Petitions for purpose-based waivers of emergency information and video description apparatus requirements.

The Commission may waive emergency information and video description apparatus requirements for any apparatus or class of apparatus that is (a) primarily designed for activities other than receiving or playing back video programming transmitted simultaneously with sound, or (b) designed for multiple purposes, capable of receiving or playing video

programming transmitted simultaneously with sound but whose essential utility is derived from other purposes. The Commission will address any requests for a purpose-based waiver on a case-by-case basis, and waivers will be available prospectively for manufacturers seeking certainty prior to the sale of a device.

(f) Submission and review of consumer eligibility information pertaining to DIRECTV, LLC's (DIRECTV's) waiver for provision of aural emergency information during The Weather Channel's programming.

The Commission granted DIRECTV a waiver with respect to the set-top box models on which it is not able to implement audio functionality for emergency information, but conditioned such relief by requiring DIRECTV to provide, upon request and at no additional cost to customers who are blind or visually impaired, a set-top box model that is capable of providing aural emergency information. DIRECTV may require customers who are blind or visually impaired to submit reasonable documentation of disability to DIRECTV as a condition to providing the box at no additional cost.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2017-03882 Filed 2-27-17; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0391]

### Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's

burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

**DATES:** Written PRA comments should be submitted on or before May 1, 2017. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Nicole Ongele, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Nicole.Ongele@fcc.gov](mailto:Nicole.Ongele@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Nicole Ongele at (202) 418-2991.

**SUPPLEMENTARY INFORMATION:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.  
*OMB Control Number:* 3060-0391.  
*Title:* Parts 54 and 36, Program to Monitor the Impacts of the Universal Service Support Mechanisms.  
*Form Number:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit.

*Number of Respondents and Responses:* 322 respondents; 1,288 responses.

*Estimated Time per Response:* 40 minutes (0.667 hours).

*Frequency of Response:* Quarterly reporting requirement and third party disclosure requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151, 152, 154, 201–205, 215, 218, 220, 229, 254, and 410.

*Total Annual Burden:* 860 hours.

*Total Annual Cost:* No cost.

*Privacy Act Impact Assessment:* No impact(s).

*Nature and Extent of Confidentiality:* The data requested are regarded as non-proprietary. If the FCC requests that respondents submit information which respondents believe is confidential, respondents may request confidential treatment of such information pursuant to Section 0.459 of the FCC's rules, 47 CFR 0.459.

*Needs and Uses:* The monitoring program is necessary for the Commission, the Federal-State Joint Board on Universal Service, Congress and the general public to assess the impact of the universal service support mechanisms. This information collection has become a value tool to review network usage and growth data and the advancement of universal service. The Commission is reporting a 24 hour increase in the total hour burden based on updated information from the National Exchange Carrier Association [NECA] regarding the number of respondents/responses.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2017-03884 Filed 2-27-17; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0750]

### Information Collection Being Reviewed by the Federal Communications Commission

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as

required by the Paperwork Reduction Act (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections.

Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written comments should be submitted on or before May 1, 2017. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

**SUPPLEMENTARY INFORMATION:** As part of its continuing effort to reduce paperwork burdens, and as required by the PRA of 1995 (44 U.S.C. 3501-3520), the FCC invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

*OMB Control Number:* 3060-0750.

*Title:* 47 CFR 73.671, Educational and Informational Programming for Children; 47 CFR 73.673, Public Information Initiatives Regarding Educational and Informational Programming for Children.

*Form Number:* Not applicable.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities.

*Number of Respondents and Responses:* 2,195 respondents; 3,996 responses.

*Estimated Time per Response:* 1 to 5 minutes.

*Frequency of Response:* Third party disclosure requirement.

*Obligation to Respond:* Required to obtain benefits. The statutory authority for this collection is contained in Sections 154(i) and 303 of the Communications Act of 1934, as amended.

*Total Annual Burden:* 29,131 hours.

*Total Annual Cost:* None.

*Privacy Act Impact Assessment:* No impact(s).

*Nature and Extent of Confidentiality:* There is no need for confidentiality with this collection of information.

*Needs and Uses:* The information collection requirements contained in 47 CFR 73.671(c)(5) states that a core educational television program must be identified as specifically designed to educate and inform children by the display on the television screen throughout the program of the symbol E/I.

The information collection requirements contained in 47 CFR 73.673 states each commercial television broadcast station licensee must provide information identifying programming specifically designed to educate and inform children to publishers of program guides. Such information must include an indication of the age group for which the program is intended.

These requirements are intended to provide greater clarity about broadcasters' obligations under the Children's Television Act (CTA) of 1990 to air programming "specifically designed" to serve the educational and informational needs of children and to improve public access to information about the availability of these programs. These requirements provide better

information to the public about the shows broadcasters' air to satisfy their obligation to provide educational and informational programming under the CTA.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2017-03880 Filed 2-27-17; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0819]

### Information Collection Being Reviewed by the Federal Communications Commission

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

**DATES:** Written PRA comments should be submitted on or before May 1, 2017. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should

advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Nicole Ongele, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Nicole.Ongele@fcc.gov](mailto:Nicole.Ongele@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Nicole Ongele at (202) 418-2991.

**SUPPLEMENTARY INFORMATION:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

*OMB Control Number:* 3060-0819.

*Title:* Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support, Connect America Fund.

*Form Numbers:* FCC Form 555, FCC Form 481, FCC Form 497.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Individuals or households and business or other for-profit.

*Number of Respondents and Responses:* 20,535,330 respondents; 23,328,463 responses.

*Estimated Time per Response:* .0167 hours-250 hours.

*Frequency of Response:* Annual, biennial, monthly, daily and on occasion reporting requirements and third party disclosure requirement.

*Obligation To Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in Sections 1, 4(i), 5, 201, 205, 214, 219, 220, 254, 303(r), and 403 of the Communications Act of 1934, as amended, and section 706 of the Communications Act of 1996, as amended; 47 U.S.C. 151, 154(i), 155,

201, 205, 214, 219, 220, 254, 303(r), 403, and 1302.

*Total Annual Burden:* 12,148,151 hours.

*Total Annual Cost:* \$937,500.

*Privacy Act Impact Assessment:* Yes. The Commission completed a Privacy Impact Assessment (PIA) for some of the information collection requirements contained in this collection. The PIA was published in the **Federal Register** at 78 FR 73535 on December 6, 2013. The PIA may be reviewed at: [http://www.fcc.gov/omd/privacyact/Privacy\\_Impact\\_Assessment.html](http://www.fcc.gov/omd/privacyact/Privacy_Impact_Assessment.html).

*Nature and Extent of Confidentiality:* Some of the requirements contained in this information collection affect individuals or households, and thus, there are impacts under the Privacy Act. The FCC's system of records notice (SORN) associated with this collection is FCC/WCB-1, "Lifeline Program."

The Commission will use the information contained in FCC/WCB-1 to cover the personally identifiable information (PII) that is required as part of the Lifeline Program ("Lifeline"). As required by the Privacy Act of 1974, as amended, 5 U.S.C. 552a, the Commission published FCC/WCB-1 "Lifeline Program" in the **Federal Register** on December 6, 2013 (78 FR 73535).

Also, respondents may request materials or information submitted to the Commission or to the Universal Service Administrative Company (USAC or Administrator) be withheld from public inspection under 47 CFR 0.459 of the FCC's rules. We note that USAC must preserve the confidentiality of all data obtained from respondents; must not use the data except for purposes of administering the universal service programs; and must not disclose data in company-specific form unless directed to do so by the Commission.

*Needs and Uses:* The Commission will submit this information collection after this comment period to obtain approval from the Office of Management and Budget (OMB) of proposed revisions to this information collection.

On April 27, 2016, the Commission released an order reforming its low-income universal service support mechanisms. Lifeline and Link Up Reform and Modernization; Telecommunications Carriers Eligible for Universal Service Support; Connect America Fund, WC Docket Nos. 11-42, 09-197, 10-90, Third Further Notice of Proposed Rulemaking, Order on Reconsideration, and Further Report and Order, (*Lifeline Third Reform Order*). In the *Lifeline Third Reform Order*, the Commission adopted the National Verifier to make eligibility

determinations and perform other functions necessary to enroll subscribers into the Lifeline program. This revised information collection addresses changes associated with transition to the National Verifier. In addition, the Commission seeks to update the number of respondents for certain requirements contained in this information collection, thus increasing the total burden hours for some requirements and decreasing the total burden hours for other requirements. Finally, the Commission seeks to revise the FCC Form 555 to reflect the transition to the National Verifier.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2017-03879 Filed 2-27-17; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0849]

### Information Collection Being Reviewed by the Federal Communications Commission

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to

any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written comments should be submitted on or before May 1, 2017. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov*.

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

**SUPPLEMENTARY INFORMATION:** As part of its continuing effort to reduce paperwork burdens, and as required by the PRA of 1995 (44 U.S.C. 3501-3520), the FCC invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

*OMB Control Number:* 3060-0849.

*Title:* Commercial Availability of Navigation Devices.

*Form Number:* Not applicable.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities.

*Number of Respondents and Responses:* 962 respondents; 65,252 responses.

*Estimated Time per Response:* 0.00278 hours-40 hours.

*Frequency of Response:* Recordkeeping requirement; Third party disclosure requirement; On occasion reporting requirement; Annual reporting requirement; Semi-annual reporting requirement.

*Obligation To Respond:* Required to obtain or retain benefits. The statutory authority is contained in Sections 4(i),

303(r) and 629 of the Communications Act of 1934, as amended.

*Total Annual Burden:* 15,921 hours.

*Total Annual Cost:* \$2,990.

*Privacy Act Impact Assessment:* No impact(s).

*Nature and Extent of Confidentiality:*

There is no need for confidentiality with this collection of information.

*Needs and Uses:* The information collection requirements contained in the collection are as follows:

47 CFR 15.123(c)(3) states subsequent to the testing of its initial unidirectional digital cable product model, a manufacturer or importer is not required to have other models of unidirectional digital cable products tested at a qualified test facility for compliance with the procedures of Uni-Dir-PICS-I01-030903: "Uni-Directional Receiving Device: Conformance Checklist: PICS Proforma" (incorporated by reference, see § 15.38) unless the first model tested was not a television, in which event the first television shall be tested as provided in § 15.123(c)(1). The manufacturer or importer shall ensure that all subsequent models of unidirectional digital cable products comply with the procedures in the Uni-Dir-PICS-I01-030903: "Uni-Directional Receiving Device: Conformance Checklist: PICS Proforma" (incorporated by reference, see § 15.38) and all other applicable rules and standards. The manufacturer or importer shall maintain records indicating such compliance in accordance with the verification procedure requirements in part 2, subpart J of this chapter. The manufacturer or importer shall further submit documentation verifying compliance with the procedures in the Uni-Dir-PICS-I01-030903: "Uni-Directional Receiving Device: Conformance Checklist: PICS Proforma" (incorporated by reference, see § 15.38) to the testing laboratory representing cable television system operators serving a majority of the cable television subscribers in the United States.

47 CFR 15.123(c)(5)(iii) states subsequent to the successful testing of its initial M-UDCP, a manufacturer or importer is not required to have other M-UDCP models tested at a qualified test facility for compliance with M-Host UNI-DIR-PICS-IOI-061101 (incorporated by reference, see § 15.38) unless the first model tested was not a television, in which event the first television shall be tested as provided in § 15.123(c)(5)(i). The manufacturer or importer shall ensure that all subsequent models of M-UDCPs comply with M-Host UNI-DIR-PICS-IOI-061101 (incorporated by reference, see § 15.38) and all other applicable rules

and standards. The manufacturer or importer shall maintain records indicating such compliance in accordance with the verification procedure requirements in part 2, subpart J of this chapter. For each M-UDCP model, the manufacturer or importer shall further submit documentation verifying compliance with M-Host UNI-DIR-PICS-IOI-061101 to the testing laboratory representing cable television system operators serving a majority of the cable television subscribers in the United States.

47 CFR 76.1203 provides that a multichannel video programming distributor may restrict the attachment or use of navigation devices with its system in those circumstances where electronic or physical harm would be caused by the attachment or operation of such devices or such devices that assist or are intended or designed to assist in the unauthorized receipt of service. Such restrictions may be accomplished by publishing and providing to subscribers standards and descriptions of devices that may not be used with or attached to its system. Such standards shall foreclose the attachment or use only of such devices as raise reasonable and legitimate concerns of electronic or physical harm or theft of service.

47 CFR 76.1205(a) states that technical information concerning interface parameters which are needed to permit navigation devices to operate with multichannel video programming systems shall be provided by the system operator upon request.

47 CFR 76.1205(b)(1) states a multichannel video programming provider that is subject to the requirements of Section 76.1204(a)(1) must provide the means to allow subscribers to self-install the CableCARD in a CableCARD-reliant device purchased at retail and inform a subscriber of this option when the subscriber requests a CableCARD. This requirement shall be effective August 1, 2011, if the MVPD allows its subscribers to self-install any cable modems or operator-leased set-top boxes and November 1, 2011 if the MVPD does not allow its subscribers to self-install any cable modems or operator-leased set-top boxes.

47 CFR 76.1205(b)(1)(A) states that this requirement shall not apply to cases in which neither the manufacturer nor the vendor of the CableCARD-reliant device furnishes to purchasers appropriate instructions for self-installation of a CableCARD, and a manned toll-free telephone number to answer consumer questions regarding

CableCARD installation but only for so long as such instructions are not furnished and the call center is not offered.

The requirements contained in Section 76.1205 are intended to ensure that consumers are able to install CableCARDS in the devices they purchase because we have determined this is essential to a functioning retail market.

47 CFR 76.1205(b)(2) states effective August 1, 2011, provide multi-stream CableCARDS to subscribers, unless the subscriber requests a single-stream CableCARD. This requirement will ensure that consumers have access to CableCARDS that are compatible with their retail devices, and can request such devices from their cable operators.

47 CFR 76.1205(b)(5) requires to separately disclose to consumers in a conspicuous manner with written information provided to customers in accordance with Section 76.1602, with written or oral information at consumer request, and on Web sites or billing inserts. This requirement is intended to ensure that consumers understand that retail options are available and that cable operators are not subsidizing their own devices with service fees in violation of Section 629 of the Act.

47 CFR 76.1207 states that the Commission may waive a regulation related to Subpart P ("Competitive Availability of Navigation Devices") for a limited time, upon an appropriate showing by a provider of multichannel video programming and other services offered over multichannel video programming systems, or an equipment provider that such a waiver is necessary to assist the development or introduction of a new or improved multichannel video programming or other service offered over multichannel video programming systems, technology, or products. Such waiver requests are to be made pursuant to 47 CFR 76.7.

47 CFR 76.1208 states that any interested party may file a petition to the Commission for a determination to provide for a sunset of the navigation devices regulations on the basis that (1) the market for multichannel video distributors is fully competitive; (2) the market for converter boxes, and interactive communications equipment, used in conjunction with that service is fully competitive; and (3) elimination of the regulations would promote competition and the public interest.

47 CFR 15.118(a) and 47 CFR 15.19(d) (label and information disclosure)—The U.S. Bureau of the Census reports that, at the end of 2002, there were 571 U.S. establishments that manufacture audio

and visual equipment. These manufacturers already have in place mechanisms for labeling equipment and including consumer disclosures in the form of owners' manuals and brochures in equipment packaging. The Commission estimate that manufacturers who voluntarily decide to label their equipment will need no more than 5 hours to develop a label or to develop wording for a consumer disclosure for owners' manuals/brochures to be included with the device. Once developed, we do not anticipate any ongoing burden associated with the revision/modification of the label, if used, or the disclosure.

*Status Reports*—Periodic reports are required from large cable multiple system operators detailing CableCARD deployment/support for navigation devices. (This requirement is specified in FCC 05–76, CS Docket No. 97–80).

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2017–03881 Filed 2–27–17; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–XXXX]

### Information Collection Being Reviewed by the Federal Communications Commission

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to

further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

**DATES:** Written PRA comments should be submitted on or May 1, 2017. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Nicole Ongele, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Nicole.Ongele@fcc.gov](mailto:Nicole.Ongele@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Nicole Ongele at (202) 418-2991.

**SUPPLEMENTARY INFORMATION:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

*OMB Control Number:* 3060-XXXX.

*Title:* Workplace Discrimination Complaints.

*Form Numbers:* FCC Form 5621 and FCC Form 5622.

*Type of Review:* New collection.

*Respondents:* Individuals.

*Number of Respondents and Responses:* 26 respondents and 26 responses.

*Estimated Time per Response:* 3.5 hours.

*Frequency of Response:* One-time reporting requirement.

*Obligation to Respond:* Voluntary. Statutory authority for these collections are contained in 29 U.S.C. 206(d), 633a, 791, and 794a; 42 U.S.C. 2000e-16 and 2000ff-6(f).

*Total Annual Burden:* 91 hours.

*Total Annual Cost:* \$15,000.

*Privacy Impact Assessment:* The FCC is drafting a Privacy Impact Assessment to cover the personally identifiable information (PIA) that will be collected, used, and stored.

*Nature and Extent of Confidentiality:* There is no need for confidentiality with this collection of information.

*Needs and Uses:* FCC employees, former employees and applicants for employment who believe they were denied equal employment opportunity based on race, color, religion, gender, national origin, age, physical or mental disability, genetic information and/or reprisal will complete FCC Form 5621 and FCC Form 5622.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2017-03878 Filed 2-27-17; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0347 and 3060-0882]

### Information Collections Being Reviewed by the Federal Communications Commission Under Delegated Authority

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written comments should be submitted on or before May 1, 2017. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

**SUPPLEMENTARY INFORMATION:** As part of its continuing effort to reduce paperwork burdens, and as required by the PRA of 1995 (44 U.S.C. 3501-3520), the FCC invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

*OMB Control No.:* 3060-0347.

*Title:* Section 97.311, Spread Spectrum (SS) Emission Types.

*Form No.:* Not applicable.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Individuals or households.

*Number of Respondents and Responses:* 10 respondents; 10 responses.

*Estimated Time per Response:* .017 hours (1 minute).



*Frequency of Response:*

Recordkeeping requirement.

*Obligation to Respond:* Required to obtain and retain benefits. The statutory authority for this collection of information is contained in 47 U.S.C. 154, 303, 151–155 and 301–609.

*Total Annual Burden:* 1 hour.

*Annual Cost Burden:* None.

*Privacy Act Impact Assessment:* Yes.

*Nature and Extent of Confidentiality:*

There is no need for confidentiality with this collection of information.

*Needs and Uses:* The recordkeeping requirement in Section 97.311 is necessary to document all spread spectrum (ss) transmissions by amateur radio operators. This requirement is necessary so that quick resolution of any harmful interference problems can be achieved and to ensure that the station is operating in accordance with the Communications Act of 1934, as amended. The information is used by FCC staff during inspections and investigations to ensure compliance with applicable rules, statutes, and treaties. In the absence of this recordkeeping requirement, field inspections and investigations related to the solution of cases of harmful interference would be severely hampered and needlessly prolonged due to the inability to quickly obtain vital information used to demodulate spread spectrum transmissions.

*OMB Control No.:* 3060–0882.

*Title:* Section 95.833, Construction requirements.

*Form No.:* Not applicable.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities.

*Number of Respondents and Responses:* 5 respondents and 5 responses.

*Estimated Time per Response:* 1 hour.

*Frequency of Response:* Every 10 year reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority for this collection is contained in 47 U.S.C. 154 and 303.

*Total Annual Burden:* 5 hours.

*Annual Cost Burden:* \$1,250.

*Nature and Extent of Confidentiality:*

There is no need with confidentiality with this collection of information.

*Privacy Act Impact Assessment:* No impact(s).

*Needs and Uses:* 218–219 MHz service system licensees are required to file a report after 10 years of license grant to demonstrate that they provide substantial service to its service areas. This information is examined by the Commission to assess whether or not licensees are in compliance with 218–

219 MHz service system construction requirements which is covered under 47 CFR 95.833. Without this information, the Commission would not be able to carry out its statutory responsibilities.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2017–03877 Filed 2–27–17; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0816]

### Information Collection Being Reviewed by the Federal Communications Commission

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

**DATES:** Written PRA comments should be submitted on or before May 1, 2017. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should

advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Nicole Ongele, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Nicole.Ongele@fcc.gov](mailto:Nicole.Ongele@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Nicole Ongele at (202) 418–2991.

**SUPPLEMENTARY INFORMATION:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

*OMB Control Number:* 3060–0816.

*Title:* Local Telephone Competition and Broadband Reporting (Report and Order, WC Docket No. 11–10, FCC 13–87).

*Form Number:* FCC Form 477.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit, Not-for-profit institutions, and State, local or tribal government.

*Number of Respondents and Responses:* 2,331 respondents; 4,662 responses.

*Estimated Time per Response:* 355 hours (average).

*Frequency of Response:* Semi-annual reporting requirement.

*Obligation to Respond:* Mandatory. Statutory authority for this information collection is contained in 47 U.S.C. 4(i), 201, 218–220, 251–252, 271, 303(r), 332, and 403 of the Communications Act of 1934, as amended and section 706 of the Telecommunications Act of 1996, as amended, codified in section 1302 of the Broadband Data Improvement Act, 47 U.S.C. 1302.

*Total Annual Burden:* 1,655,010 hours.

*Total Annual Cost:* No Cost.



*Privacy Act Impact Assessment:* No impact(s).

*Nature and Extent of Confidentiality:* The Commission will continue to allow respondents to certify on the submission interface that some subscribership data contained in that submission are privileged or confidential commercial or financial information and that disclosure of such information would likely cause substantial harm to the competitive position of the entity making the submission. If the Commission receives a request for, or proposes to disclose such information, the respondent would be required to show, pursuant to Commission rules for withholding from public inspection information submitted to the Commission, that the information in question is entitled to confidential treatment. We will retain our current policies and procedures regarding the protection of submitted FCC Form 477 data subject to confidential treatment, including the use of only non-company specific aggregates of subscribership data in our published reports. Most of the broadband deployment data collected on Form 477 is publicly available on the FCC's Web site at <https://www.fcc.gov/general/broadband-deployment-data-fcc-form-477>. However, mobile providers can request confidential treatment of their deployment data by spectrum band and some of the speed data associated with their mobile broadband deployment coverage areas.

*Need and Uses:* FCC Form 477 provides an understanding of the extent of broadband deployment, that facilitates the Commission's development of appropriate broadband policies, and enables the Commission to carry out its obligation under section 706 of the Telecommunications Act of 1996, as amended, to "determine whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion." In addition, the information collected in Form 477 enhances the Commission's analysis and understanding of the extent of voice telephone services competition, which in turn supports the Commission's efforts to open all telecommunications markets to competition and to promote innovation and investment by all participants, including new entrants, as required by the Telecommunications Act of 1996.

The Commission staff uses the information to advise the Commission about the efficacy of its rules and policies adopted to implement the

Telecommunications Act of 1996. The data are necessary to evaluate the status of local telecommunications competition and broadband deployment. The Commission uses the data to prepare reports that help inform consumers and policy makers at the federal and state level on the deployment and adoption of broadband services, as well as on developments related to competition in the voice telephone services market. The Commission also uses the data to support its analyses in a variety of rulemaking proceedings under the Communications Act, including those related to fulfilling its universal service mandate.

The Commission releases to the public the broadband deployment and mobile voice deployment data that it began collecting in 2014 as a result of the Order. This information is used by consumers, federal and state government agencies, analysts, and others to determine broadband service availability by provider, technology, and speed.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2017-03883 Filed 2-27-17; 8:45 am]

**BILLING CODE 6712-01-P**

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## FEDERAL ELECTION COMMISSION

[Notice 2017-05]

### Filing Dates for the Georgia Special Election in the 6th Congressional District

**AGENCY:** Federal Election Commission.

**ACTION:** Notice of filing dates for special election.

**SUMMARY:** Georgia has scheduled a Special General Election on April 18, 2017, to fill the U.S. House of Representatives seat in the 6th Congressional District vacated by Representative Tom Price. Under Georgia law, a majority winner in a special election is declared elected. Should no candidate achieve a majority vote, a Special Runoff Election will be held on June 20, 2017, between the top two vote-getters.

Political committees participating in the Georgia special elections are required to file pre- and post-election reports. Filing deadlines for these reports are affected by whether one or two elections are held.

**FOR FURTHER INFORMATION CONTACT:** Ms. Elizabeth S. Kurland, Information

Division, 999 E Street NW., Washington, DC 20463; Telephone: (202) 694-1100; Toll Free (800) 424-9530.

### SUPPLEMENTARY INFORMATION:

#### Principal Campaign Committees

All principal campaign committees of candidates who participate in the Georgia Special General and Special Runoff Elections shall file a 12-day Pre-General Report on April 6, 2017; a 12-day Pre-Runoff Report on June 8, 2017; and a Post-Runoff Report on July 21, 2017. (See charts below for the closing date for each report.)

If only one election is held, all principal campaign committees of candidates in the Special General Election shall file a 12-day Pre-General Report on April 6, 2017; and a 30-day Post-General Report on May 18, 2017. (See charts below for the closing date for each report.)

Note that these reports are in addition to the campaign committee's regular quarterly filings. (See charts below for the closing date for each report.)

#### Unauthorized Committees (PACs and Party Committees)

Political committees not filing monthly in 2017 are subject to special election reporting if they make previously undisclosed contributions or expenditures in connection with the Georgia Special General Election and/or Special Runoff Election by the close of books for the applicable report(s). (See charts below for the closing date for each report.)

Committees filing monthly that make contributions or expenditures in connection with the Georgia Special General or Special Runoff Election will continue to file according to the monthly reporting schedule.

Additional disclosure information in connection with the Georgia Special Election may be found on the FEC Web site at [http://www.fec.gov/info/report\\_dates.shtml](http://www.fec.gov/info/report_dates.shtml).

#### Disclosure of Lobbyist Bundling Activity

Principal campaign committees, party committees and Leadership PACs that are otherwise required to file reports in connection with the special elections must simultaneously file FEC Form 3L if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrator PACs that aggregate in excess of \$17,900 during the special election reporting periods. (See charts below for closing date of each period.) 11 CFR 104.22(a)(5)(v), (b).

## CALENDAR OF REPORTING DATES FOR GEORGIA SPECIAL ELECTION

Report	Close of Books <sup>1</sup>	Reg./cert. & overnight mailing deadline	Filing deadline
<b>If Only the Special General Is Held (04/18/17), Participating Campaign Committees Must File</b>			
Pre-General .....	03/29/17	04/03/17	04/06/17
April Quarterly .....	—WAIVED—		
Post-General .....	05/08/17	05/18/17	05/18/17
July Quarterly .....	06/30/17	07/15/17	<sup>2</sup> 07/15/17
<b>If Only the Special General Is Held (04/18/17), Participating PACs and Party Committees not Filing Monthly Must File</b>			
Pre-General .....	03/29/17	04/03/17	04/06/17
Post-General .....	05/08/17	05/18/17	05/18/17
Mid-Year .....	06/30/17	07/31/17	07/31/17
<b>If Two Elections Are Held, Campaign Committees Involved Only in the Special General (04/18/17) Must File</b>			
Pre-General .....	03/29/17	04/03/17	04/06/17
April Quarterly .....	—WAIVED—		
July Quarterly .....	06/30/17	07/15/17	<sup>2</sup> 07/15/17
<b>If Two Elections Are Held, PACs and Party Committees not Filing Monthly Involved Only in the Special General (04/18/17) Must File</b>			
Pre-General .....	03/29/17	04/03/17	04/06/17
Mid-Year .....	06/30/17	07/31/17	07/31/17
<b>Campaign Committees Involved in the Special General (04/18/17) and Special Runoff (06/20/17) Must File</b>			
Pre-General .....	03/29/17	04/03/17	04/06/17
April Quarterly .....	—WAIVED—		
Pre-Runoff .....	05/31/17	06/05/17	06/08/17
July Quarterly .....	—WAIVED—		
Post-Runoff .....	07/10/17	07/21/17	07/21/17
October Quarterly .....	09/30/17	10/15/17	<sup>2</sup> 10/15/17
<b>PACs and Party Committees not Filing Monthly Involved in the Special General (04/18/17) and Special Runoff (06/20/17) Must File</b>			
Pre-General .....	03/29/17	04/03/17	04/06/17
Pre-Runoff .....	05/31/17	06/05/17	06/08/17
Post-Runoff .....	07/10/17	07/21/17	07/21/17
Mid-Year .....	—WAIVED—		
Year-End .....	12/31/17	01/31/18	01/31/18
<b>Campaign Committees Involved Only in the Special Runoff (06/20/17) Must File</b>			
Pre-Runoff .....	05/31/17	06/05/17	06/08/17
July Quarterly .....	—WAIVED—		
Post-Runoff .....	07/10/17	07/21/17	07/21/17
October Quarterly .....	09/30/17	10/15/17	<sup>2</sup> 10/15/17
<b>PACs and Party Committees not Filing Monthly Involved Only in the Special Runoff (06/20/17) Must File</b>			
Pre-Runoff .....	05/31/17	06/05/17	06/08/17
Post-Runoff .....	07/10/17	07/21/17	07/21/17
Mid-Year .....	—WAIVED—		
Year-End .....	12/31/17	01/31/18	01/31/18

<sup>1</sup> The reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered as a political committee up through the close of books for the first report due.

<sup>2</sup> Notice that this filing deadline falls on a weekend or federal holiday. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than registered, certified or overnight mail must be received by close of business on the last business day before the deadline.

On behalf of the Commission,  
Dated: February 16, 2017.

**Steven T. Walther,**  
*Chairman, Federal Election Commission.*  
[FR Doc. 2017-03892 Filed 2-27-17; 8:45 am]  
BILLING CODE 6715-01-P

**FEDERAL ELECTION COMMISSION**

[Notice 2017-06]

**Filing Dates for the Alabama Senate Special Elections**

**AGENCY:** Federal Election Commission.  
**ACTION:** Notice of filing dates for special election.

**SUMMARY:** Alabama has scheduled special elections to fill the U.S. Senate seat vacated by Senator Jeff Sessions. There are three possible special elections, but only two may be necessary.

- *Primary Election:* June 5, 2018.
- *Possible Runoff Election:* July 17, 2018. In the event that one candidate does not achieve a majority vote in his/her party's Special Primary Election, the top two vote-getters will participate in a Special Runoff Election.
- *General Election:* November 6, 2018.

**FOR FURTHER INFORMATION CONTACT:** Ms. Elizabeth S. Kurland, Information Division, 999 E Street NW., Washington, DC 20463; Telephone: (202) 694-1100; Toll Free (800) 424-9530.

**SUPPLEMENTARY INFORMATION:**

**Principal Campaign Committees**

*Special Primary Only*

All principal campaign committees of candidates *only* participating in the Alabama Special Primary shall file a Pre-Primary Report on May 24, 2018. (See charts below for the closing date for the report).

*Special Primary and General Without Runoff*

If only two elections are held, all principal campaign committees of candidates participating in the Alabama Special Primary and Special General Elections shall file a Pre-Primary Report on May 24, 2018; a Pre-General Report on October 25, 2018; and a Post-General Report on December 6, 2018. (See charts below for the closing date for each report).

*Special Primary and Runoff Elections*

If three elections are held, all principal campaign committees of candidates *only* participating in the Alabama Special Primary and Special Runoff Elections shall file a Pre-Primary Report on May 24, 2018; and a Pre-Runoff Report on July 5, 2018. (See charts below for the closing date for each report.)

*Special Primary, Runoff and General Elections*

All principal campaign committees of candidates participating in the Alabama Special Primary, Special Runoff and Special General Elections shall file a Pre-Primary Report on May 24, 2018; a Pre-Runoff Report on July 5, 2018; a Pre-General Report on October 25, 2018; and a Post-General Report on December 6, 2018. (See charts below for the closing date for each report.)

Note that these reports are in addition to the campaign committee's regular quarterly filings. (See charts below for the closing date for each report).

**Unauthorized Committees (PACs and Party Committees)**

Political committees filing on a quarterly basis in 2018 are subject to special election reporting if they make previously undisclosed contributions or expenditures in connection with the

Alabama Special Primary, Special Runoff or Special General Elections by the close of books for the applicable report(s). (See charts below for the closing date for each report.)

Committees filing monthly that make contributions or expenditures in connection with the Alabama Special Primary, Special Runoff or Special General Election will continue to file according to the monthly reporting schedule.

Additional disclosure information in connection with the Alabama Special Elections may be found on the FEC Web site at [http://www.fec.gov/info/report\\_dates.shtml](http://www.fec.gov/info/report_dates.shtml).

**Disclosure of Lobbyist Bundling Activity**

Principal campaign committees, party committees and Leadership PACs that are otherwise required to file reports in connection with the special elections must simultaneously file FEC Form 3L if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registant PACs that aggregate in excess of the lobbyist bundling disclosure threshold during the special election reporting periods (See charts below for closing date of each period.) 11 CFR 104.22(a)(5)(v), (b).

The lobbyist bundling disclosure threshold for calendar year 2017 is \$17,900. This threshold amount may increase in 2018 based upon the annual cost of living adjustment (COLA). Once the adjusted threshold amount becomes available, the Commission will publish it in the **Federal Register** and post it on its Web site. 11 CFR 110.17(e)(2). For more information on these requirements, see **Federal Register** Notice 2009-03, 74 FR 7285 (February 17, 2009).

**CALENDAR OF REPORTING DATES FOR ALABAMA SPECIAL ELECTION**

Report	Close of books <sup>1</sup>	Reg./cert. & overnight mailing deadline	Filing deadline
<b>Political Committees Involved in Only the Special Primary (06/05/18) Must File</b>			
Pre-Primary .....	05/16/18	05/21/18	05/24/18
July Quarterly .....	06/30/18	07/15/18	<sup>2</sup> 07/15/18
<b>If Only Two Elections are Held, Political Committees Involved in Both the Special Primary (06/05/18) and Special General (11/06/18) Must File</b>			
Pre-Primary .....	05/16/18	05/21/18	05/24/18
July Quarterly .....	06/30/18	07/15/18	<sup>2</sup> 07/15/18
October Quarterly .....	09/30/18	10/15/18	10/15/18
Pre-General .....	10/17/18	10/22/18	10/25/18
Post-General .....	11/26/18	12/06/18	12/06/18
Year-End .....	12/31/18	01/31/19	01/31/19

CALENDAR OF REPORTING DATES FOR ALABAMA SPECIAL ELECTION—Continued

Report	Close of books <sup>1</sup>	Reg./cert. & overnight mailing deadline	Filing deadline
<b>If Only Two Elections are Held, Political Committees Involved in Only the Special General (11/06/18) Must File</b>			
Pre-General .....	10/17/18	10/22/18	10/25/18
Post-General .....	11/26/18	12/06/18	12/06/18
Year-End .....	12/31/18	01/31/19	01/31/19
<b>If Three Elections are Held, Political Committees Involved in Only the Special Primary (06/05/18) and Special Runoff (07/17/18) Must File</b>			
Pre-Primary .....	05/16/18	05/21/18	05/24/18
Pre-Runoff .....	06/27/18	07/02/18	07/05/18
July Quarterly .....	—WAIVED—		
October Quarterly .....	09/30/18	10/15/18	10/15/18
<b>If Three Elections are Held, Political Committees Involved in Only the Special Runoff (07/17/18) Must File</b>			
Pre-Runoff .....	06/27/18	07/02/18	07/05/18
July Quarterly .....	—WAIVED—		
October Quarterly .....	09/30/18	10/15/18	10/15/18
<b>Political Committees Involved in the Special Primary (06/05/18), Special Runoff (07/17/18) and Special General (11/06/18) Must File</b>			
Pre-Primary .....	05/16/18	05/21/18	05/24/18
Pre-Runoff .....	06/27/18	07/02/18	07/05/18
July Quarterly .....	—WAIVED—		
October Quarterly .....	09/30/18	10/15/18	10/15/18
Pre-General .....	10/17/18	10/22/18	10/25/18
Post-General .....	11/26/18	12/06/18	12/06/18
Year-End .....	12/31/18	01/31/19	01/31/19
<b>If Three Elections are Held, Political Committees Involved in Only the Special General (11/06/18) Must File</b>			
Pre-General .....	10/17/18	10/22/18	10/25/18
Post-General .....	11/26/18	12/06/18	12/06/18
Year-End .....	12/31/18	01/31/19	01/31/19

<sup>1</sup> The reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered as a political committee up through the close of books for the first report due.

<sup>2</sup> Notice that this filing deadline falls on a weekend or federal holiday. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than registered, certified or overnight mail must be received by close of business on the last business day before the deadline.

On behalf of the Commission.  
Dated: February 22, 2017.

**Steven T. Walther,**  
*Chairman, Federal Election Commission.*  
[FR Doc. 2017-03893 Filed 2-27-17; 8:45 am]  
BILLING CODE 6715-01-P

days of the date this notice appears in the **Federal Register**. Copies of the agreements are available through the Commission’s Web site ([www.fmc.gov](http://www.fmc.gov)) or by contacting the Office of Agreements at (202)–523–5793 or [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov).

*Agreement No.:* 011679–015.  
*Title:* ASA/SERC Agreement.

*Parties:* American President Lines, Ltd./APL Co. Pte Ltd.; ANL Singapore Pte Ltd.; COSCO Shipping Lines Company, Ltd.; Evergreen Line Joint Service; Hyundai Merchant Marine Co., Ltd.; Kawasaki Kisen Kaisha, Ltd.; Mitsui O.S.K. Lines, Ltd.; Nippon Yusen Kaisha; Orient Overseas Container Line Ltd.; Wan Hai Lines Ltd.; and Yang Ming Marine Transport Corp.

*Filing Party:* Wayne Rohde; Cozen O’Connor; 1200 19th Street NW.; Washington, DC 20036.

*Synopsis:* The Amendment revises the Agreement to reflect a recently implemented name change of the Agreement from “ASF/SERC” to “ASA/SERC.” The Asian Shipowners Forum changed its name to the Asian Shipowners Association. The amendment also revises the name of one party to the Agreement, COSCO SHIPPING Lines Company Limited, and removes two other parties from the Agreement, China Shipping (Group) Company/China Shipping Container Lines Co., Ltd. and Hanjin Shipping Co., Ltd. The Amendment also restates the Agreement.

**FEDERAL MARITIME COMMISSION**

**Notice of Agreements Filed**

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties may submit comments on the agreements to the Secretary, Federal Maritime Commission, Washington, DC 20573, within twelve

*Agreement No.:* 012201-003.  
*Title:* WWL/"K" Line Space Charter Agreement.

*Parties:* Wallenius Wilhelmsen Logistics AS and Kawasaki Kisen Kaisha, Ltd.

*Filing Party:* John P. Meade; K-Line America, Inc.; 6009 Bethlehem Road; Preston, MD 21655.

*Synopsis:* The amendment clarifies the Parties' agreement to charter space to each other and corrects clerical errors.

*Agreement No.:* 012225-002.  
*Title:* King Ocean/Seaboard Space Charter Agreement.

*Parties:* Seaboard Marine, Ltd. and King Ocean Services Limited, Inc.

*Filing Party:* Wayne Rohde; Cozen O'Connor; 1200 19th Street NW.; Washington, DC 20036.

*Synopsis:* The amendment revises the amount of space chartered under the Agreement.

*Agreement No.:* 012443-001.  
*Title:* Hyundai Glovis/Sallaum Cooperative Working Agreement.

*Parties:* Hyundai Glovis Co., Ltd. and Sallaum Lines DMCC.

*Filing Party:* Wayne Rohde; Cozen O'Connor; 1200 19th Street NW.; Washington, DC 20036.

*Synopsis:* The amendment converts the agreement from a two-way charter to primarily a one-way charter of space and revises the duration of agreement. The amendment also restates the agreement.

*Agreement No.:* 012465.  
*Title:* Hapag-Lloyd/UASC Vessel Sharing Agreement.

*Parties:* Hapag-Lloyd and United Arab Shipping Company Limited.

*Filing Party:* David Smith; Cozen O'Connor; 1200 19th Street NW.; Washington, DC 20036.

*Synopsis:* In light of the fact that Hapag-Lloyd is in the process of merging its liner shipping business with that of United Arab Shipping Company (the "Transaction"), the Agreement authorizes the Parties, in advance of the Transaction, to coordinate and cooperate with respect to the Parties' transportation services and operations, including through the sharing of space on vessels operated under THE Alliance Agreement (FMC Agreement No. 012439).

*Agreement No.:* 012466.  
*Title:* HMM/ZIM Pacific Northwest Slot Exchange Agreement.

*Parties:* Hyundai Merchant Marine Co., Ltd. and Zim Integrated Shipping Services Ltd.

*Filing Party:* Mark Newcomb; Zim Integrated Shipping Services Ltd.; 5801 Lake Wright Drive; Norfolk, VA 23502.

*Synopsis:* The Agreement authorizes Hyundai and Zim to charter space to each other in the trade between China, Taiwan, and Korea on the one hand and the U.S. West Coast on the other hand.

By Order of the Federal Maritime Commission.

Dated: February 23, 2017.

**Rachel E. Dickon,**

*Assistant Secretary.*

[FR Doc. 2017-03898 Filed 2-27-17; 8:45 am]

**BILLING CODE 6731-AA-P**

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than March 14, 2017.

*A. Federal Reserve Bank of Minneapolis* (Jacquelyn K. Brunmeier, Assistant Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480-0291:

1. *Rebecca R. Billingsley, Lake Elmo, Minnesota, Daniel D. Raleigh, Lake Elmo, Minnesota, and Elizabeth R. Landherr, Lake Elmo, Minnesota, individually, and as trustees of one or more of the following trusts: The Joseph Leo Raleigh Trust (trustee Daniel D. Raleigh), the Megan Snowell Raleigh Trust (trustee Daniel D. Raleigh), the Elizabeth Tian Landherr Trust (trustee Elizabeth R. Landherr), the Maria Snowell Landherr Trust (trustee Elizabeth R. Landherr), the Anna Keman Raleigh Landherr Trust (trustee Elizabeth R. Landherr), the John Daniel Billingsley Trust (trustee Rebecca R. Billingsley), the Kathleen Raleigh Billingsley Trust, (trustee Rebecca R. Billingsley), and the Rachel Elizabeth Billingsley Trust (trustee Rebecca R. Billingsley), and as the persons designated to vote the shares held by the Lake Elmo Bank Employee Stock*

*Ownership Trust (all Trusts located in Lake Elmo, Minnesota); to retain shares of Lake Elmo Bancshares, Inc., Lake Elmo, Minnesota, and thereby indirectly retain shares of Lake Elmo Bank, Lake Elmo, Minnesota.*

Board of Governors of the Federal Reserve System, February 23, 2017.

**Yao-Chin Chao,**

*Assistant Secretary of the Board.*

[FR Doc. 2017-03860 Filed 2-27-17; 8:45 am]

**BILLING CODE 6210-01-P**

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 23, 2017.

*A. Federal Reserve Bank of St. Louis* (David L. Hubbard, Senior Manager) P.O. Box 442, St. Louis, Missouri 63166-2034. Comments can also be sent electronically to

[Comments.applications@stls.frb.org](mailto:Comments.applications@stls.frb.org):

1. *Midland States Bancorp, Inc.*, Effingham, Illinois; to acquire 100 percent of the voting shares of Centru Financial Corporation, Ottawa, Illinois, and thereby indirectly acquire Centru Bank, Streator, Illinois.

Board of Governors of the Federal Reserve System, February 22, 2017.

**Yao-Chin Chao,**

*Assistant Secretary of the Board.*

[FR Doc. 2017-03828 Filed 2-27-17; 8:45 am]

**BILLING CODE 6210-01-P**

## FEDERAL TRADE COMMISSION

[File No. 161 0215]

### Enbridge Inc. and Spectra Energy Corp; Analysis To Aid Public Comment

**AGENCY:** Federal Trade Commission.

**ACTION:** Proposed consent agreement.

**SUMMARY:** The consent agreement in this matter settles alleged violations of federal law prohibiting unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the complaint and the terms of the consent orders—embodied in the consent agreement—that would settle these allegations.

**DATES:** Comments must be received on or before March 20, 2017.

**ADDRESSES:** Interested parties may file a comment at <https://ftcpublic.commentworks.com/ftc/enbridgespectraconsent> online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write “In the Matter of Enbridge Inc. and Spectra Energy Corp File No. 161-0215” on your comment and file your comment online at <https://ftcpublic.commentworks.com/ftc/enbridgespectraconsent> by following the instructions on the web-based form. If you prefer to file your comment on paper, write “In the Matter of Enbridge Inc. and Spectra Energy Corp File No. 161-0215” on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC-5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Eric Cochran (202-326-3454), Bureau of Competition, 600 Pennsylvania Avenue NW., Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been

filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for February 16, 2017), on the World Wide Web, at <http://www.ftc.gov/os/actions.shtm>.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before March 20, 2017. Write “In the Matter of Enbridge Inc. and Spectra Energy Corp File No. 161-0215” on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at <http://www.ftc.gov/os/publiccomments.shtm>. As a matter of discretion, the Commission tries to remove individuals’ home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone’s Social Security number, date of birth, driver’s license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any “[t]rade secret or any commercial or financial information which . . . is privileged or confidential,” as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).<sup>1</sup> Your comment will be kept

confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at <https://ftcpublic.commentworks.com/ftc/enbridgespectraconsent> by following the instructions on the web-based form. If this Notice appears at <http://www.regulations.gov/#!home>, you also may file a comment through that Web site.

If you file your comment on paper, write “In the Matter of Enbridge Inc. and Spectra Energy Corp File No. 161-0215” on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC-5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at <http://www.ftc.gov> to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before March 20, 2017. You can find more information, including routine uses permitted by the Privacy Act, in the Commission’s privacy policy, at <http://www.ftc.gov/ftc/privacy.htm>.

### Analysis of Agreement Containing Consent Order To Aid Public Comment

#### I. Introduction

The Federal Trade Commission (“Commission”) has accepted, subject to final approval, an Agreement Containing Consent Orders (“Consent Agreement”) with Enbridge Inc. (“Enbridge”) and Spectra Energy Corp (“Spectra”). The Consent Agreement is designed to remedy the anticompetitive effects that likely would result from Enbridge’s proposed merger with Spectra (the “Merger”).

<sup>1</sup> In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request,

and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c), 16 CFR 4.9(c).

The Merger, if consummated, will result in Respondent Enbridge having ownership interests in the two closest and likely lowest-cost pipelines that provide or can provide natural gas pipeline transportation from many Deepwater Outer Continental Shelf oil and gas leasing and exploration blocks (“blocks”) in certain natural gas producing areas in the Gulf of Mexico. Enbridge, through a wholly owned subsidiary, owns and operates the Walker Ridge Pipeline. Spectra has an indirect, minority ownership interest in the Discovery Pipeline. The Complaint alleges that, resulting from the Merger, Enbridge will have access to competitively sensitive information of its competitor, the Discovery Pipeline, and gain voting rights over the Discovery Pipeline’s significant capital expenditures, including expansions needed to connect to new wells. Without adequate safeguards, Enbridge could misuse that information and its voting rights, leading to anticompetitive conduct that would make the Discovery Pipeline a less effective competitor or would facilitate coordination in the industry. To remedy these concerns, under the terms of the Proposed Decision and Order (“Order”) contained in the Consent Agreement, Enbridge is required to erect firewalls to limit its access to non-public information relating to the Discovery Pipeline. In addition, all board members appointed by Enbridge or Spectra to the boards of directors overseeing the Discovery Pipeline must recuse themselves from any vote pertaining to the Discovery Pipeline, with limited exceptions.

The Commission has placed the Consent Agreement on the public record for 30 days to solicit comments from interested persons. Comments received during this period will become part of the public record. After 30 days, the Commission will again review the Consent Agreement and the comments received, and will decide whether it should withdraw from the Consent Agreement, modify it, or make the Order final.

## II. The Parties

### A. Enbridge

Enbridge is an energy delivery company that operates primarily in the United States and Canada. Its primary business is in pipeline transportation of crude oil; however, it also has significant natural gas gathering, processing, transportation, and storage assets. Enbridge owns several interconnected natural gas pipelines that export natural gas from the Gulf of

Mexico to processing plants in Louisiana.

### B. Spectra

Spectra is one of the largest North American pipeline and midstream companies. Spectra predominately focuses on natural gas, providing natural gas gathering, storage, and transportation in the southeastern and northeastern United States and in southeastern Canada. Through a joint venture with Phillips 66 (“Phillips”), Spectra owns an indirect minority interest in the Discovery Pipeline, a natural gas pipeline that transports natural gas from Deepwater areas in the Gulf of Mexico to processing plants in Louisiana.

### III. The Proposed Merger

Respondent Enbridge and affiliated companies under its control entered into a merger agreement with Spectra, dated September 5, 2016, pursuant to which Sand Merger Sub, Inc., a newly created direct wholly owned subsidiary of Enbridge, will merge with and into Spectra, with Spectra surviving the Merger. The combined entity will be the largest energy infrastructure company in North America, with a geographically diverse asset portfolio used in the gathering, processing, storage, and transportation of natural gas and the pipeline transportation of crude oil.

The Commission’s Complaint alleges that the Merger, if consummated, would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. 18, and Section 5 of the Federal Trade Commission Act, as amended, 15 U.S.C. 45, by substantially lessening competition for the transportation of natural gas from wells in certain natural gas producing areas in the Gulf of Mexico, to processing plants or interconnects with other natural gas pipelines.

### IV. The Relevant Markets

The Commission’s Complaint alleges that the relevant product market within which to analyze the Merger is natural gas pipeline transportation. Natural gas producers contract with natural gas pipelines to connect to and transport natural gas from wells to processing plants or interconnects with other natural gas pipelines. Even if pipeline transportation rates increased slightly, shippers would continue to use pipelines as no economic or practical alternative to natural gas pipeline transportation exists.

The Commission’s Complaint alleges that the relevant geographic markets within which to analyze the Merger are no broader than the Green Canyon, Walker Ridge, and Keathley Canyon

offshore natural gas producing areas in the Gulf of Mexico off the coast of Louisiana (collectively and individually referred to as “Gulf Producing Areas”). Other transportation methods for natural gas in the Gulf Producing Area are significantly more costly, less reliable, and potentially more hazardous than the parties’ pipelines.

### V. Market Structure

The Commission’s Complaint alleges that Enbridge and Spectra own interests in the two pipelines closest to wells drilled in certain blocks in the Gulf Producing Areas, including blocks that lie between the pipelines. Enbridge, through a wholly owned subsidiary, owns and operates the Walker Ridge Pipeline. Spectra holds an indirect minority ownership interest in the Discovery Pipeline, via its 50–50 joint venture with Phillips (DCP Midstream, LLC (“DCP”), which in turn has an effective 36.1 percent limited partner interest in DCP Midstream Partners, LP (“DPM”). DPM owns a 40 percent interest in the Discovery Pipeline; Williams Partners L.P. owns the majority interest (60 percent) in the Discovery Pipeline and is its operator.

The Commission’s Complaint alleges that the length of pipeline needed to connect an existing pipeline to a well is a major factor in determining the overall cost for the pipeline to connect to the well. Thus, more distant pipelines likely face higher costs to connect to wells, resulting in higher natural gas pipeline transportation prices for natural gas producers. Where the Walker Ridge Pipeline and the Discovery Pipeline are a producer’s nearest options—as they are for many blocks in the Gulf Producing Areas—they each likely could expand to connect to the producer’s well for the lowest costs. As such, the Walker Ridge Pipeline and the Discovery Pipeline are the two pipelines most likely to compete successfully for projects in certain blocks in the Gulf Producing Areas.

### VI. Effects of the Merger

While Spectra does not outright own the Discovery Pipeline or hold a majority interest in it (or operate it), through its indirect, minority ownership interest in DPM, Spectra has access to competitively sensitive information of the Discovery Pipeline and significant voting rights. This relationship creates two primary competitive concerns after the Merger. First, Enbridge-appointed directors will vote on the Discovery Pipeline’s significant capital expenditures, which likely will include future expansions needed to connect to wells. Enbridge will have the incentive

and ability to reduce the competitiveness of Discovery Pipeline bids for projects for which the parties' pipeline are the closest and lowest-cost options.

Second, Enbridge will have access to the Discovery Pipeline's competitively sensitive information. When its Walker Ridge Pipeline competes with the Discovery Pipeline, Enbridge may use this competitively sensitive information to raise transportation costs for natural gas producers. The exchange of information also may increase the likelihood of tacit or explicit coordination between the Walker Ridge Pipeline and the Discovery Pipeline.

#### VII. Entry Conditions

Entry into the relevant markets would not be timely, likely, or sufficient to deter or counteract the anticompetitive effects arising from the Merger. Barriers to entry are significant. Building pipeline underwater is an expensive and lengthy process, often taking several years from the initial proposal to the end of construction.

#### VIII. The Agreement Containing Consent Order

The proposed Order resolves the anticompetitive concerns described above by requiring that (1) Enbridge erect firewalls to limit its access to non-public information relating to the Discovery Pipeline, and (2) all representatives appointed by Enbridge or Spectra to the DCP or DPM boards of directors recuse themselves from any vote pertaining to the Discovery Pipeline, with two limited exceptions. First, Enbridge's representatives may vote on initiatives to expand the Discovery Pipeline beyond natural gas pipeline services in the Gulf of Mexico. This provision ensures that Enbridge does not have to participate in business ventures unrelated to the Discovery Pipeline's current business. Second, Enbridge's representatives may participate in votes to change DPM's ownership interest in the Discovery Pipeline. The use of firewalls and recusal provisions is appropriate because the competitive concerns arise from a discrete overlap that constitutes a relatively small portion of DCP's and DPM's overall physical footprints and business portfolios.

The proposed Order allows the Commission to appoint a monitor. The Commission has appointed Robert Ogle, who currently is associated with Claro Group LLC. Mr. Ogle will help ensure the effectiveness of the firewall provisions and ongoing compliance with the Order. The Commission routinely appoints monitors for orders

involving firewall provisions. Mr. Ogle will serve for a 5-year term, but the Commission may extend or modify the term as appropriate. The Order will have a term of 20 years.

The Commission does not intend this analysis to constitute an official interpretation of the proposed Order or to modify its terms in any way.

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

[FR Doc. 2017-03889 Filed 2-27-17; 8:45 am]

**BILLING CODE 6750-01-P**

### FEDERAL TRADE COMMISSION

[File No. 162 3250]

#### **Sentinel Labs, Inc., Also Doing Business as SentinelOne and SentinelOne.com; Analysis of Proposed Consent Order To Aid Public Comment**

**AGENCY:** Federal Trade Commission.

**ACTION:** Proposed Consent Agreement.

**SUMMARY:** The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

**DATES:** Comments must be received on or before March 24, 2017.

**ADDRESSES:** Interested parties may file a comment at <https://ftcpublic.commentworks.com/ftc/sentinelabsconsent> online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write "In the Matter of Sentinel Labs, Inc., a corporation doing business as SentinelOne and SentinelOne.com, File No. 162 3250" on your comment and file your comment online at <https://ftcpublic.commentworks.com/ftc/sentinelabsconsent> by following the instructions on the web-based form. If you prefer to file your comment on paper, write "In the Matter of Sentinel Labs, Inc., a corporation doing business as SentinelOne and SentinelOne.com, File No. 162 3250" on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC-5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the

Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Monique Einhorn, Attorney, (202) 326-2575, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW., Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for February 22, 2017), on the World Wide Web at: <http://www.ftc.gov/os/actions.shtm>.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before March 24, 2017. Write "In the Matter of Sentinel Labs, Inc., a corporation doing business as SentinelOne and SentinelOne.com, File No. 162 3250" on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at <http://www.ftc.gov/os/publiccomments.shtm>. As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any "[t]rade secret or any commercial or financial information which . . . is privileged or confidential," as discussed in Section 6(f) of the FTC Act, 15 U.S.C.



46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).<sup>1</sup> Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at <https://ftcpublishcommentworks.com/ftc/sentinellabsconsent> by following the instructions on the web-based form. If this Notice appears at <http://www.regulations.gov/#/home>, you also may file a comment through that Web site.

If you file your comment on paper, write "In the Matter of Sentinel Labs, Inc., a corporation doing business as SentinelOne and SentinelOne.com, File No. 162 3250" on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC-5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at <http://www.ftc.gov> to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before March 24, 2017. You can find more information, including routine

uses permitted by the Privacy Act, in the Commission's privacy policy, at <http://www.ftc.gov/ftc/privacy.htm>.

### Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission ("FTC" or "Commission") has accepted, subject to final approval, a consent agreement applicable to Sentinel Labs, Inc. dba SentinelOne and SentinelOne.com ("SentinelOne").

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

This matter concerns alleged false representations that SentinelOne made to consumers concerning its participation in the Asia-Pacific Economic Cooperation ("APEC") Cross Border Privacy Rules ("CBPR") system. The APEC CBPR system is a voluntary, enforceable mechanism that certifies a company's compliance with the principles in the CBPR and facilitates privacy-respecting transfers of data amongst APEC member economies. The APEC CBPR system is based on nine data privacy principles: Preventing harm, notice, collection limitation, use choice, integrity, security safeguards, access and correction, and accountability. Companies that seek to participate in the APEC CBPR system must undergo a review by an APEC-recognized Accountability Agent, which certifies companies that meet the standards.

Companies under the FTC's jurisdiction are eligible to apply for APEC CBPR certification. The names of certified companies are posted on a public-facing Web site, [www.cbprs.org](http://www.cbprs.org). Companies must re-apply annually in order to retain their status as current participants in the APEC CBPR system. A company that falsely claims APEC CBPR participation may be subject to an enforcement action based on the FTC's deception authority under Section 5 of the FTC Act.

SentinelOne provides endpoint protection software to enterprise customers. According to the Commission's complaint, SentinelOne has set forth on its Web site, <https://www.sentinelone.com/privacy-policy/>, privacy policies and statements about its practices, including statements

related to its participation in the APEC CBPR system.

The Commission's complaint alleges that SentinelOne falsely represented that it was a participant in the APEC CBPR system and a TRUSTe privacy program when, in fact, it never sought or obtained either certification.

Part I of the proposed order prohibits SentinelOne from making misrepresentations about its participation in any privacy or security program sponsored by a government or any self-regulatory or standard-setting organization, including, but not limited to, the APEC CBPR and the TRUSTe privacy programs.

Parts II through VI of the proposed order are reporting and compliance provisions. Part II requires acknowledgment of the order and dissemination of the order now and in the future to persons with responsibilities relating to the subject matter of the order. Part III ensures notification to the FTC of changes in corporate status and mandates that SentinelOne submit an initial compliance report to the FTC. Part IV requires SentinelOne to retain documents relating to its compliance with the order. Part V mandates that SentinelOne make available to the FTC information or subsequent compliance reports, as requested. Part VI is a provision "sunsetting" the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to facilitate public comment on the proposed order. It is not intended to constitute an official interpretation of the proposed complaint or order or to modify the order's terms in any way.

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

[FR Doc. 2017-03886 Filed 2-27-17; 8:45 am]

BILLING CODE 6750-01-P

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## FEDERAL TRADE COMMISSION

[File No. 162 3248]

### Vir2us, Inc.; Analysis of Proposed Consent Order To Aid Public Comment

**AGENCY:** Federal Trade Commission.

**ACTION:** Proposed Consent Agreement.

**SUMMARY:** The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent

<sup>1</sup>In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c), 16 CFR 4.9(c).

agreement—that would settle these allegations.

**DATES:** Comments must be received on or before March 24, 2017.

**ADDRESSES:** Interested parties may file a comment at <https://ftcpublic.commentworks.com/ftc/vir2usconsent> online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write “In the Matter of Vir2us, Inc., a corporation, File No. 162 3248” on your comment and file your comment online at <https://ftcpublic.commentworks.com/ftc/vir2usconsent> by following the instructions on the web-based form. If you prefer to file your comment on paper, write “In the Matter of Vir2us, Inc., a corporation, File No. 162 3248” on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC–5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Monique Einhorn, Attorney, (202) 326–2575, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW., Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for February 22, 2017), on the World Wide Web at: <http://www.ftc.gov/os/actions.shtm>.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before March 24, 2017. Write “In the Matter of Vir2us, Inc., a corporation, File No. 162 3248” on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding,

including, to the extent practicable, on the public Commission Web site, at <http://www.ftc.gov/os/publiccomments.shtm>. As a matter of discretion, the Commission tries to remove individuals’ home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone’s Social Security number, date of birth, driver’s license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any “[t]rade secret or any commercial or financial information which . . . is privileged or confidential,” as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).<sup>1</sup> Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at <https://ftcpublic.commentworks.com/ftc/vir2usconsent> by following the instructions on the web-based form. If this Notice appears at <http://www.regulations.gov/#/home>, you also may file a comment through that Web site.

If you file your comment on paper, write “In the Matter of Vir2us, Inc., a

<sup>1</sup> In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c), 16 CFR 4.9(c).

corporation, File No. 162 3248” on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at <http://www.ftc.gov> to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before March 24, 2017. You can find more information, including routine uses permitted by the Privacy Act, in the Commission’s privacy policy, at <http://www.ftc.gov/ftc/privacy.htm>.

#### **Analysis of Proposed Consent Order To Aid Public Comment**

The Federal Trade Commission (“FTC” or “Commission”) has accepted, subject to final approval, a consent agreement applicable to Vir2us, Inc. (“Vir2us”).

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement’s proposed order.

This matter concerns alleged false representations that Vir2us made to consumers concerning its participation in the Asia-Pacific Economic Cooperation (“APEC”) Cross Border Privacy Rules (“CBPR”) system. The APEC CBPR system is a voluntary, enforceable mechanism that certifies a company’s compliance with the principles in the CBPR and facilitates privacy-respecting transfers of data amongst APEC member economies. The APEC CBPR system is based on nine data privacy principles: Preventing harm, notice, collection limitation, use choice, integrity, security safeguards, access and correction, and accountability. Companies that seek to participate in the APEC CBPR system

must undergo a review by an APEC-recognized Accountability Agent, which certifies companies that meet the standards.

Companies under the FTC's jurisdiction are eligible to apply for APEC CBPR certification. The names of certified companies are posted on a public-facing Web site, [www.cbprs.org](http://www.cbprs.org). Companies must re-apply annually in order to retain their status as current participants in the APEC CBPR system. A company that falsely claims APEC CBPR participation may be subject to an enforcement action based on the FTC's deception authority under Section 5 of the FTC Act.

Vir2us markets cybersecurity software solutions. According to the Commission's complaint, Vir2us has set forth in its privacy policy, at <https://addons.mozilla.org/en-US/firefox/addon/xeropass/?src=cb-dl-updated>, privacy policies and statements about its practices, including statements related to its participation in the APEC CBPR system.

The Commission's complaint alleges that Vir2us falsely represented that it was a participant in the APEC CBPR system when, in fact, it never sought or obtained certification.

Part I of the proposed order prohibits Vir2us from making misrepresentations about its participation in any privacy or security program sponsored by a government or any self-regulatory or standard-setting organization, including, but not limited to, the APEC CBPR system.

Parts II through VI of the proposed order are reporting and compliance provisions. Part II requires acknowledgment of the order and dissemination of the order now and in the future to persons with responsibilities relating to the subject matter of the order. Part III ensures notification to the FTC of changes in corporate status and mandates that Vir2us submit an initial compliance report to the FTC. Part IV requires Vir2us to retain documents relating to its compliance with the order. Part V mandates that Vir2us make available to the FTC information or subsequent compliance reports, as requested. Part VI is a provision "sunsetting" the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to facilitate public comment on the proposed order. It is not intended to constitute an official interpretation of the proposed complaint or order or to modify the order's terms in any way.

By direction of the Commission.

**Donald S. Clark,**  
*Secretary.*

[FR Doc. 2017-03887 Filed 2-27-17; 8:45 am]

**BILLING CODE 6750-01-P**

## FEDERAL TRADE COMMISSION

[File No. 162 3251]

### SpyChatter, Inc.; Analysis of Proposed Consent Order To Aid Public Comment

**AGENCY:** Federal Trade Commission.

**ACTION:** Proposed Consent Agreement.

**SUMMARY:** The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

**DATES:** Comments must be received on or before March 24, 2017.

**ADDRESSES:** Interested parties may file a comment at <https://ftcpublic.commentworks.com/ftc/spychatterconsent> online or on paper,

by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write "In the Matter of SpyChatter, Inc., a corporation, File No. 162 3251" on your comment and file your comment online at <https://ftcpublic.commentworks.com/ftc/spychatterconsent> by following the instructions on the web-based form. If you prefer to file your comment on paper, write "In the Matter of SpyChatter, Inc., a corporation, File No. 162 3251" on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC-5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Monique Einhorn, Attorney, (202) 326-2575, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW., Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned

consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for February 22, 2017), on the World Wide Web at: <http://www.ftc.gov/os/actions.shtm>.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before March 24, 2017. Write "In the Matter of SpyChatter, Inc., a corporation, File No. 162 3251" on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at <http://www.ftc.gov/os/publiccomments.shtm>. As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any "[t]rade secret or any commercial or financial information which . . . is privileged or confidential," as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR

4.9(c).<sup>1</sup> Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at <https://ftcpublishcommentworks.com/ftc/spychatterconsent> by following the instructions on the web-based form. If this Notice appears at <http://www.regulations.gov/#/home>, you also may file a comment through that Web site.

If you file your comment on paper, write "In the Matter of SpyChatter, Inc., a corporation, File No. 162 3251" on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC-5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at <http://www.ftc.gov> to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before March 24, 2017. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at <http://www.ftc.gov/ftc/privacy.htm>.

#### **Analysis of Proposed Consent Order To Aid Public Comment**

The Federal Trade Commission ("FTC" or "Commission") has accepted, subject to final approval, a consent agreement applicable to SpyChatter, Inc. ("SpyChatter").

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by

interested persons. Comments received during this period will become part of the public record. After thirty days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

This matter concerns alleged false representations that SpyChatter made to consumers concerning its participation in the Asia-Pacific Economic Cooperation ("APEC") Cross Border Privacy Rules ("CBPR") system. The APEC CBPR system is a voluntary, enforceable mechanism that certifies a company's compliance with the principles in the CBPR and facilitates privacy-respecting transfers of data amongst APEC member economies. The APEC CBPR system is based on nine data privacy principles: Preventing harm, notice, collection limitation, use choice, integrity, security safeguards, access and correction, and accountability. Companies that seek to participate in the APEC CBPR system must undergo a review by an APEC-recognized Accountability Agent, which certifies companies that meet the standards.

Companies under the FTC's jurisdiction are eligible to apply for APEC CBPR certification. The names of certified companies are posted on a public-facing Web site, [www.cbprs.org](http://www.cbprs.org). Companies must re-apply annually in order to retain their status as current participants in the APEC CBPR system. A company that falsely claims APEC CBPR participation may be subject to an enforcement action based on the FTC's deception authority under Section 5 of the FTC Act.

SpyChatter is an app that is designed to enable private messaging. According to the Commission's complaint, SpyChatter has set forth on its Web site, <http://www.spychatter.net/privacy-policy/>, privacy policies and statements about its practices, including statements related to its participation in the APEC CBPR system.

The Commission's complaint alleges that SpyChatter falsely represented that it was a participant in the APEC CBPR system when, in fact, it never sought or obtained certification.

Part I of the proposed order prohibits SpyChatter from making misrepresentations about its participation in any privacy or security program sponsored by a government or any self-regulatory or standard-setting organization, including, but not limited to, the APEC CBPR system.

Parts II through VI of the proposed order are reporting and compliance

provisions. Part II requires acknowledgment of the order and dissemination of the order now and in the future to persons with responsibilities relating to the subject matter of the order. Part III ensures notification to the FTC of changes in corporate status and mandates that SpyChatter submit an initial compliance report to the FTC. Part IV requires SpyChatter to retain documents relating to its compliance with the order. Part V mandates that SpyChatter make available to the FTC information or subsequent compliance reports, as requested. Part VI is a provision "sunsetting" the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to facilitate public comment on the proposed order. It is not intended to constitute an official interpretation of the proposed complaint or order or to modify the order's terms in any way.

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

[FR Doc. 2017-03888 Filed 2-27-17; 8:45 am]

**BILLING CODE 6750-01-P**

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Health Resources and Services Administration**

#### **National Vaccine Injury Compensation Program; List of Petitions Received**

**AGENCY:** Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

**ACTION:** Notice.

**SUMMARY:** HRSA is publishing this notice of petitions received under the National Vaccine Injury Compensation Program (the program), as required by the Public Health Service (PHS) Act, as amended. While the Secretary of HHS is named as the respondent in all proceedings brought by the filing of petitions for compensation under the program, the United States Court of Federal Claims is charged by statute with responsibility for considering and acting upon the petitions.

**FOR FURTHER INFORMATION CONTACT:** For information about requirements for filing petitions, and the program in general, contact the Clerk, United States Court of Federal Claims, 717 Madison Place NW., Washington, DC 20005, (202) 357-6400. For information on HRSA's role in the program, contact the Director, National Vaccine Injury Compensation Program, 5600 Fishers

<sup>1</sup>In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c), 16 CFR 4.9(c).

Lane, Room 08N146B, Rockville, MD 20857; (301) 443-6593, or visit our Web site at: <http://www.hrsa.gov/vaccinecompensation/index.html>.

**SUPPLEMENTARY INFORMATION:** The program provides a system of no-fault compensation for certain individuals who have been injured by specified childhood vaccines. Subtitle 2 of Title XXI of the PHS Act, 42 U.S.C. 300aa-10 *et seq.*, provides that those seeking compensation are to file a petition with the U.S. Court of Federal Claims and to serve a copy of the petition on the Secretary of HHS, who is named as the respondent in each proceeding. The Secretary has delegated this responsibility under the program to HRSA. The Court is directed by statute to appoint special masters who take evidence, conduct hearings as appropriate, and make initial decisions as to eligibility for, and amount of, compensation.

A petition may be filed with respect to injuries, disabilities, illnesses, conditions, and deaths resulting from vaccines described in the Vaccine Injury Table (the Table) set forth at 42 CFR 100.3. This Table lists for each covered childhood vaccine the conditions that may lead to compensation and, for each condition, the time period for occurrence of the first symptom or manifestation of onset or of significant aggravation after vaccine administration. Compensation may also be awarded for conditions not listed in the Table and for conditions that are manifested outside the time periods specified in the Table, but only if the petitioner shows that the condition was caused by one of the listed vaccines.

Section 2112(b)(2) of the PHS Act, 42 U.S.C. 300aa-12(b)(2), requires that “[w]ithin 30 days after the Secretary receives service of any petition filed under section 2111 the Secretary shall publish notice of such petition in the **Federal Register**.” Set forth below is a list of petitions received by HRSA on January 1, 2017, through January 31, 2017. This list provides the name of the petitioner, city and state of vaccination (if unknown then city and state of person or attorney filing claim), and case number. In cases where the Court has redacted the name of a petitioner and/or the case number, the list reflects such redaction.

Section 2112(b)(2) also provides that the special master “shall afford all interested persons an opportunity to submit relevant, written information” relating to the following:

1. The existence of evidence “that there is not a preponderance of the evidence that the illness, disability,

injury, condition, or death described in the petition is due to factors unrelated to the administration of the vaccine described in the petition,” and

2. Any allegation in a petition that the petitioner either:

a. “[S]ustained, or had significantly aggravated, any illness, disability, injury, or condition not set forth in the Vaccine Injury Table but which was caused by” one of the vaccines referred to in the Table, or

b. “[S]ustained, or had significantly aggravated, any illness, disability, injury, or condition set forth in the Vaccine Injury Table the first symptom or manifestation of the onset or significant aggravation of which did not occur within the time period set forth in the Table but which was caused by a vaccine” referred to in the Table.

In accordance with Section 2112(b)(2), all interested persons may submit written information relevant to the issues described above in the case of the petitions listed below. Any person choosing to do so should file an original and three (3) copies of the information with the Clerk of the U.S. Court of Federal Claims at the address listed above (under the heading **FOR FURTHER INFORMATION CONTACT**), with a copy to HRSA addressed to Director, Division of Injury Compensation Programs, Healthcare Systems Bureau, 5600 Fishers Lane, 08N146B, Rockville, MD 20857. The Court’s caption (Petitioner’s Name v. Secretary of HHS) and the docket number assigned to the petition should be used as the caption for the written submission. Chapter 35 of title 44, United States Code, related to paperwork reduction, does not apply to information required for purposes of carrying out the program.

Dated: February 16, 2017.

**James Macrae,**

*Acting Administrator.*

#### List of Petitions Filed

1. Susan North, Boston, Massachusetts, Court of Federal Claims No: 17-0001V.
2. Jaime Sanchez, El Monte, California, Court of Federal Claims No: 17-0002V.
3. Marsha Mercier, Jacksonville, Florida, Court of Federal Claims No: 17-0003V
4. James Cantwell on behalf of M. C., Deceased, Austin, Texas, Court of Federal Claims No: 17-0004V.
5. Deborah Gilburn, Boston, Massachusetts, Court of Federal Claims No: 17-0005V.
6. Jacqueline Hendrickson and Ken Koprowski on behalf of C. J. H., Crystal River, Florida, Court of Federal Claims No: 17-0006V.
7. Danielle Goddard on behalf of A. G., Queen Creek, Arizona, Court of Federal Claims No: 17-0007V.
8. Cathy Hesson on behalf of The Estate of Bernadette Sokol, Deceased, Pittsburgh,

Pennsylvania, Court of Federal Claims No: 17-0008V.

9. Roger Lamarre, Cranston, Rhode Island, Court of Federal Claims No: 17-0010V.

10. Edith Marrero-Fuog, Parrish, Florida, Court of Federal Claims No: 17-0011V.

11. Gregory Hooper, Ogdensburg, New York, Court of Federal Claims No: 17-0012V.

12. Thomas Prestia, Easton, Pennsylvania, Court of Federal Claims No: 17-0013V.

13. Anthony Capasso, Portsmouth, Rhode Island, Court of Federal Claims No: 17-0014V.

14. Robert Kirk Collier, Jr., Roseburg, Oregon, Court of Federal Claims No: 17-0016V.

15. Rita Rollins and Steve Rollins on behalf of M. R., Lavonia, Georgia, Court of Federal Claims No: 17-0017V.

16. Tanya Tucker, Clearwater, Florida, Court of Federal Claims No: 17-0020V.

17. Daniel Monahan, Norwalk, Connecticut, Court of Federal Claims No: 17-0021V.

18. Teresa Voors on behalf of W. V., Deceased, Farmington Hills, Michigan, Court of Federal Claims No: 17-0024V.

19. Sean Taylor, Bristol, Connecticut, Court of Federal Claims No: 17-0025V.

20. Phineas Adam Turner on behalf of E. L. T., Grand Prairie, Texas, Court of Federal Claims No: 17-0027V.

21. Ellen Snyder, Abington, Pennsylvania, Court of Federal Claims No: 17-0028V.

22. Vanetta Parshall, East Rochester, New York, Court of Federal Claims No: 17-0029V.

23. Jacqueline Hill, Saginaw, Michigan, Court of Federal Claims No: 17-0030V.

24. Cynthia Dean, Ottawa, Illinois, Court of Federal Claims No: 17-0031V.

25. Brenda Vance, Milford, Ohio, Court of Federal Claims No: 17-0033V.

26. Alice Sorensen, Brooklyn, New York, Court of Federal Claims No: 17-0034V.

27. Tammy Gilbert, Boston, Massachusetts, Court of Federal Claims No: 17-0035V.

28. Dawn E. Amankwaa and Benjamin S. Andrews on behalf of B. M. A., Liverpool, New York, Court of Federal Claims No: 17-0036V.

29. Janice Ennen, Collinsville, Illinois, Court of Federal Claims No: 17-0039V.

30. Lashawn Johnson, Jacksonville, Florida, Court of Federal Claims No: 17-0040V.

31. Donna Black, Stayton, Oregon, Court of Federal Claims No: 17-0042V.

32. Donna Kastl, Kansas City, Missouri, Court of Federal Claims No: 17-0043V.

33. Jacqueline Nicole Brasche on behalf of C. B., Taylorville, Illinois, Court of Federal Claims No: 17-0044V.

34. Alan B. Shepherd, London, Kentucky, Court of Federal Claims No: 17-0045V.

35. Leanne Lewis, Cary, North Carolina, Court of Federal Claims No: 17-0046V.

36. Angela Turner, Normangee, Texas, Court of Federal Claims No: 17-0047V.

37. Julie Lynch, Boston, Massachusetts, Court of Federal Claims No: 17-0050V.

38. Coy Claude Fredell, Kings Mountain, North Carolina, Court of Federal Claims No: 17-0051V.

39. Timothy Maxie on behalf of Connie Maxie, Deceased, Chillicothe, Ohio, Court of Federal Claims No: 17-0053V.

40. Kristy Boone on behalf of Kaylee Anne Boone, Deceased, Wellesley Hills, Massachusetts, Court of Federal Claims No: 17-0054V.

41. Ryan Horton and Karin Jonch-Clausen on behalf of L.E.H., Deceased, Baraboo, Wisconsin, Court of Federal Claims No: 17-0055V.

42. Donna Nault, Fort Scott, Kansas, Court of Federal Claims No: 17-0056V.

43. Dale MacLaughlin, Clayton, New York, Court of Federal Claims No: 17-0057V.

44. Teresa Voors on behalf of W.V., Farmington Hills, Michigan, Court of Federal Claims No: 17-0058V.

45. Lisa Johnson, Charlotte, North Carolina, Court of Federal Claims No: 17-0059V.

46. Arthur Binkowitz, West Palm Beach, Florida, Court of Federal Claims No: 17-0061V.

47. Teresa Turko, Schertz, Texas, Court of Federal Claims No: 17-0062V.

48. Patricia Heckman, Onalaska, Wisconsin, Court of Federal Claims No: 17-0063V.

49. Anthony Rizzo, Middletown, New York, Court of Federal Claims No: 17-0066V.

50. Mary Mallory, Washington, District of Columbia, Court of Federal Claims No: 17-0068V.

51. Jennifer Curtis, Rancho Cucamonga, California, Court of Federal Claims No: 17-0069V.

52. Rita Pingel, Perryville, Missouri, Court of Federal Claims No: 17-0070V.

53. Amanda Samuels, Wellesley, Massachusetts, Court of Federal Claims No: 17-0071V.

54. Deborah Kent, Hart, Michigan, Court of Federal Claims No: 17-0073V.

55. Mark A. Soprano, Cortland, New York, Court of Federal Claims No: 17-0074V.

56. Richard R. Bernard, Orlando, Florida, Court of Federal Claims No: 17-0076V.

57. Alfreda Aberto and Wilber Lopez on behalf of J.L.A., Sacramento, California, Court of Federal Claims No: 17-0077V.

58. Stanley K. Paul, Susanville, California, Court of Federal Claims No: 17-0078V.

59. Luke Careidio and Jamielee Careidio on behalf of D.C., San Mateo, California, Court of Federal Claims No: 17-0079V.

60. Glendella May, Cape Girardeau, Missouri, Court of Federal Claims No: 17-0081V.

61. Michael Lauer, Whitefish Bay, Wisconsin, Court of Federal Claims No: 17-0082V.

62. Yvonnda D. Fykerud, Greensboro, North Carolina, Court of Federal Claims No: 17-0084V.

63. Lauren Shaw, Jacksonville, Florida, Court of Federal Claims No: 17-0085V.

64. Janice Kilpatrick, Washington, District of Columbia, Court of Federal Claims No: 17-0089V.

65. Raymond Flacke, Chicago, Illinois, Court of Federal Claims No: 17-0090V.

66. Deborah Easterbrook, Mankato, Minnesota, Court of Federal Claims No: 17-0091V.

67. Sheryl Longin, Los Angeles, California, Court of Federal Claims No: 17-0093V.

68. Dolores Thompson, St. Petersburg, Florida, Court of Federal Claims No: 17-0098V.

69. Elizabeth A. Harris, North Kansas City, Missouri, Court of Federal Claims No: 17-0099V.

70. Eugenio Paulo De Souza, Ringoes, New Jersey, Court of Federal Claims No: 17-0100V.

71. Cheryl Garvin, Boston, Massachusetts, Court of Federal Claims No: 17-0101V.

72. Maria Peters, O'Fallon, Missouri, Court of Federal Claims No: 17-0102V.

73. Devora Stamm, Lakewood, New Jersey, Court of Federal Claims No: 17-0103V.

74. Willis J. DeNuto on behalf of Andrea DeNuto, Deceased, Lyndhurst, New Jersey, Court of Federal Claims No: 17-0104V.

75. Tracy Gambrell and Kevin Gambrell on behalf of R. G., Little Rock, Arkansas, Court of Federal Claims No: 17-0105V.

76. Marcia Miller, Mankato, Minnesota, Court of Federal Claims No: 17-0106V.

77. Willie D. Webb, Tulsa, Oklahoma, Court of Federal Claims No: 17-0107V.

78. Jeffrey Caputo, Lima, Ohio, Court of Federal Claims No: 17-0108V.

79. Frances Ruzicka, Piermont, New York, Court of Federal Claims No: 17-0109V.

80. Mary M. Schoeller, Baraboo, Wisconsin, Court of Federal Claims No: 17-0111V.

81. Jean Lallensack, Boston, Massachusetts, Court of Federal Claims No: 17-0112V.

82. Tiffany Cooper, Ludowici, Georgia, Court of Federal Claims No: 17-0114V.

83. Gloria Harman, Lake Worth, Florida, Court of Federal Claims No: 17-0116V.

84. Harriet Paul, Harrisburg, Pennsylvania, Court of Federal Claims No: 17-0117V.

85. Jennifer Blankenship, Lincoln, Nebraska, Court of Federal Claims No: 17-0118V.

86. Angela Chambers, Tulsa, Oklahoma, Court of Federal Claims No: 17-0120V.

87. Cindy Vinck, Evanston, Illinois, Court of Federal Claims No: 17-0121V.

88. Chelsea Bossenbroek, Westmont, Illinois, Court of Federal Claims No: 17-0122V.

89. Jennifer L. Good, Champaign, Illinois, Court of Federal Claims No: 17-0124V.

90. Elizabeth Harrison, Baton Rouge, Louisiana, Court of Federal Claims No: 17-0126V.

91. Bonita Rosner, Kenosha, Wisconsin, Court of Federal Claims No: 17-0127V.

92. Gloria Aulston, Baltimore, Maryland, Court of Federal Claims No: 17-0128V.

93. William Branson, Hudson, Wyoming, Court of Federal Claims No: 17-0131V.

94. Steve Helms, Vinton, Iowa, Court of Federal Claims No: 17-0132V.

95. Joanna Oakley, Lawrenceville, Georgia, Court of Federal Claims No: 17-0133V.

96. Kellie Duncan, Kenosha, Wisconsin, Court of Federal Claims No: 17-0134V.

97. Gary Naylor, Palmdale, California, Court of Federal Claims No: 17-0135V.

98. Lois Oliver, Burlington, Kentucky, Court of Federal Claims No: 17-0136V.

99. Tanya Mckoy, Murfreesboro, Tennessee, Court of Federal Claims No: 17-0138V.

100. Judith Celic, Boston, Massachusetts, Court of Federal Claims No: 17-0139V.

101. Irving Kodimer, Woodland Hills, California, Court of Federal Claims No: 17-0140V.

102. Michael Howells, Washington, District of Columbia, Court of Federal Claims No: 17-0142V.

103. Valeria Hernandez on behalf of S. H., Whittier, California, Court of Federal Claims No: 17-0143V.

104. Kyle James Wetterling, Newton, Iowa, Court of Federal Claims No: 17-0144V.

105. Debra Vizzi, Novi, Michigan, Court of Federal Claims No: 17-0145V.

106. Shanna Kristine Brown, Birmingham, Alabama, Court of Federal Claims No: 17-0146V.

107. Mark Bracken and Jacki Bracken on behalf of J. B., Gilbert, Arizona, Court of Federal Claims No: 17-0147V.

108. Jeffrey Heaney, Beverly Hills, California, Court of Federal Claims No: 17-0148V.

109. Rodney McDonald, Brooklyn, New York, Court of Federal Claims No: 17-0149V.

110. John Hopper, Joplin, Missouri, Court of Federal Claims No: 17-0150V.

111. Laurence Lewis, Boston, Massachusetts, Court of Federal Claims No: 17-0151V.

112. Dennis Schaeffer, Hanover, Maryland, Court of Federal Claims No: 17-0152V.

[FR Doc. 2017-03856 Filed 2-27-17; 8:45 am]

BILLING CODE 4165-15-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Meeting of the Secretary's Advisory Committee on Human Research Protections

**AGENCY:** Office of the Assistant Secretary for Health, Office of the Secretary, Department of Health and Human Services.

**ACTION:** Notice.

**SUMMARY:** Pursuant to Section 10(a) of the Federal Advisory Committee Act, notice is hereby given that the Secretary's Advisory Committee on Human Research Protections (SACHRP) will hold a meeting that will be open to the public. Information about SACHRP and the full meeting agenda will be posted on the SACHRP Web site at: <http://www.dhhs.gov/ohrp/sachrp-committee/meetings/index.html>.

**DATES:** The meeting will be held on Wednesday, March 15, 2017, from 8:30 a.m. until 5:00 p.m. and Thursday, March 16, 2017, from 8:30 a.m. until 4:30 p.m.

**ADDRESSES:** Fishers Lane Conference Center, Terrace Level, 5635 Fishers Lane, Rockville, Maryland 20852.

**FOR FURTHER INFORMATION CONTACT:** Julia Gorey, J.D., Executive Director, SACHRP; U.S. Department of Health and Human Services, 1101 Wootton Parkway, Suite 200, Rockville, Maryland 20852; telephone: 240-453-8141; fax: 240-453-6909; email address: [SACHRP@hhs.gov](mailto:SACHRP@hhs.gov).

**SUPPLEMENTARY INFORMATION:** Under the authority of 42 U.S.C. 217a, Section 222 of the Public Health Service Act, as amended, SACHRP was established to provide expert advice and recommendations to the Secretary of Health and Human Services, through the Assistant Secretary for Health, on issues and topics pertaining to or associated with the protection of human research subjects.

The Subpart A Subcommittee (SAS) was established by SACHRP in October 2006 and is charged with developing recommendations for consideration by SACHRP regarding the application of subpart A of 45 CFR part 46 in the current research environment.

The Subcommittee on Harmonization (SOH) was established by SACHRP at its July 2009 meeting and charged with identifying and prioritizing areas in which regulations and/or guidelines for human subjects research adopted by various agencies or offices within HHS would benefit from harmonization, consistency, clarity, simplification and/or coordination. The SACHRP meeting will open to the public at 8:30 a.m., on Wednesday, March 15, 2017, followed by opening remarks from Dr. Jerry Menikoff, Director of OHRP and Executive Secretary of SACHRP, and Dr. Stephen Rosenfeld, SACHRP Chair. Dr. Menikoff will then lead a discussion focusing on selected sections of the new Common Rule, which was published January 19, 2017, with an effective date of January 19, 2018 (see <https://www.gpo.gov/fdsys/pkg/FR-2017-01-19/html/2017-01058.htm>).

The SOH will present their recommendations for considerations of the new Common Rule's compliance dates and transition provisions, as well as for the interpretation and implementation of the new broad consent provision. The SAS will discuss their report on the interpretation of the new exemption involving benign behavioral interventions.

The Wednesday meeting will adjourn at approximately 5:00 p.m.

The Thursday, March 16, meeting will begin at 8:30 a.m. with

recommendations from the SOH on the FDA Draft Guidance "Use of Real-World Evidence to Support Regulatory Decision-Making for Medical Devices," issued July 27, 2016. SOH will also present recommendations on the return of incidental findings to research subjects. The SAS will present recommendations surrounding the new Common Rule's expedited review requirements.

The meeting will adjourn at 4:30 p.m. March 16, 2017. Time for public comment sessions will be allotted both

days. Note that public comment must be relevant to issues being addressed by the SACHRP.

Public attendance at the meeting is limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify one of the designated SACHRP points of contact at the address/phone number listed above at least one week prior to the meeting. On-site registration is required for participation in the live public comment session. Individuals who would like to submit written statements as public comment should email or fax their comments to SACHRP at [SACHRP@hhs.gov](mailto:SACHRP@hhs.gov) at least five business days prior to the meeting.

Dated: February 23, 2017.

**Julia G. Gorey,**

*Executive Director, Secretary's Advisory Committee on Human Research Protections.*

[FR Doc. 2017-03895 Filed 2-27-17; 8:45 am]

**BILLING CODE 4150-36-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### National Institute of Allergy and Infectious Diseases; 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 Allergy and Infectious Diseases Special Emphasis Panel NIAID; Clinical Trial Implementation Cooperative Agreement (U01).

*Date:* March 22, 2017.

*Time:* 2:00 p.m. to 4:00 p.m.

*Agenda:* To review and evaluate cooperative agreement applications.

*Place:* National Institutes of Health, 5601 Fishers Lane, Rockville, MD 20892, (Telephone Conference Call).

*Contact Person:* Zhuqing (Charlie) Li, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, Room # 3G41B, National Institutes

of Health/NIAID, 5601 Fishers Lane, MSC9823 Bethesda, MD 20892-9823, (240) 669-5068, [zhuqing.li@nih.gov](mailto:zhuqing.li@nih.gov).

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: February 23, 2017.

**Natasha M. Copeland,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2017-03896 Filed 2-27-17; 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 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:* Center for Scientific Review Special Emphasis Panel; Molecular and Imaging Dynamics in Psychiatry.

*Date:* March 14, 2017.

*Time:* 2:00 p.m. to 6:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

*Contact Person:* Julius Cinque, MS., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5186, MSC 7846, Bethesda, MD 20892, (301) 435-1252, [cinquej@csr.nih.gov](mailto:cinquej@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.

*Name of Committee:* Center for Scientific Review Special Emphasis Panel; Member Conflict: Learning and Memory.

*Date:* March 20, 2017.

*Time:* 9:00 a.m. to 4:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).



*Contact Person:* Kirk Thompson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5184, MSC 7844, Bethesda, MD 20892, 301-435-1242, [kgt@mail.nih.gov](mailto:kgt@mail.nih.gov).

*Name of Committee:* Center for Scientific Review Special Emphasis Panel; Building Interdisciplinary Research Careers in Women's Health.

*Date:* March 23, 2017.

*Time:* 11:00 a.m. to 4:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

*Contact Person:* Kate Fothergill, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive Room 3142, Bethesda, MD 20892, 301-435-2309, [fothergillk@mail.nih.gov](mailto:fothergillk@mail.nih.gov).

*Name of Committee:* Center for Scientific Review Special Emphasis Panel; Member Conflicts: Cell Biology.

*Date:* March 24, 2017.

*Time:* 11:00 a.m. to 1:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

*Contact Person:* Wallace Ip, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5128, MSC 7840, Bethesda, MD 20892, 301-435-1191, [ipws@mail.nih.gov](mailto:ipws@mail.nih.gov).

*Name of Committee:* Center for Scientific Review Special Emphasis Panel; RFA HD-17-009: Autism Centers of Excellence: Centers (P50).

*Date:* March 29-30, 2017.

*Time:* 8:00 a.m. to 5:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW., Washington, DC 20015.

*Contact Person:* Jane A Doussard-Roosevelt, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3184, MSC 7848, Bethesda, MD 20892, (301) 435-4445, [doussarj@csr.nih.gov](mailto:doussarj@csr.nih.gov).

*Name of Committee:* Center for Scientific Review Special Emphasis Panel; PAR Panel: Multidisciplinary Studies of HIV/AIDS and Aging.

*Date:* March 29, 2017.

*Time:* 10:00 a.m. to 5:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

*Contact Person:* Robert Freund, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5216, MSC 7852, Bethesda, MD 20892, 301-435-1050, [freundr@csr.nih.gov](mailto:freundr@csr.nih.gov).

*Name of Committee:* Center for Scientific Review Special Emphasis Panel; Small

Business: Dermatology, Rheumatology and Inflammation.

*Date:* March 29, 2017.

*Time:* 10:30 a.m. to 5:30 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

*Contact Person:* Rajiv Kumar, Ph.D., Chief, MOSS IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4216, MSC 7802, Bethesda, MD 20892, 301-435-1212, [kumarra@csr.nih.gov](mailto:kumarra@csr.nih.gov).

(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:* February 23, 2017.

**Michelle Trout,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2017-03902 Filed 2-27-17; 8:45 am]

**BILLING CODE 4140-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### National Heart, Lung, and Blood 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 Heart, Lung, and Blood Institute Special Emphasis Panel; Hypertension Outcomes for T4 Research.

*Date:* March 23, 2017.

*Time:* 1:00 p.m. to 5:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institutes of Health, 6701 Rockledge Drive, Room 7180, Bethesda, MD 20892 (Telephone Conference Call).

*Contact Person:* Tony L Creazzo, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7180, Bethesda, MD 20892-7924, 301-435-0725, [creazzotl@mail.nih.gov](mailto:creazzotl@mail.nih.gov).

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung

Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

*Dated:* February 23, 2017.

**Michelle Trout,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2017-03901 Filed 2-27-17; 8:45 am]

**BILLING CODE 4140-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### Statement of Delegation of Authority

Notice is hereby given that I have delegated to the Director, National Institutes of Health (NIH), the authorities vested in the Secretary of Health and Human Services under Section 2054 of the 21st Century Cures Act (Pub. L. 114-255), as amended, to consult with relevant agencies and stakeholders and to receive recommendations with respect to enhancements to the clinical trial registry data bank under section 402(j) of the Public Health Service Act (42 U.S.C. 282(j)), including with respect to usability, functionality, and search capability.

These authorities may be redelegated. Exercise of this authority shall be in accordance with established policies, procedures, guidelines, and regulations as prescribed by the Secretary. The Secretary retains the authority to submit reports to Congress, and promulgate regulations.

*Dated:* February 22, 2017.

**Thomas E. Price,**

*Secretary.*

[FR Doc. 2017-03867 Filed 2-27-17; 8:45 am]

**BILLING CODE 4140-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### National Eye 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 Eye Institute Special Emphasis Panel; NEI Bioengineering, Devices and Training.

*Date:* April 5–7, 2017.

*Time:* 12:00 p.m. to 9:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Place:* National Institutes of Health 5635 Fishers Lane, Suite 1300, Bethesda, MD 20892, (Virtual Meeting).

*Contact Person:* Anne E Schaffner, Ph.D., Chief, Scientific Review Branch, Division of Extramural Research, National Eye Institute, 5635 Fishers Lane, Suite 1300, MSC 9300, Bethesda, MD 20892–9300, (301) 451–2020, [aes@nei.nih.gov](mailto:aes@nei.nih.gov).

(Catalogue of Federal Domestic Assistance Program Nos. 93.867, Vision Research, National Institutes of Health, HHS)

Dated: February 23, 2017.

**Natasha M. Copeland,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2017–03897 Filed 2–27–17; 8:45 am]

**BILLING CODE 4140–01–P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5997–N–10]

### 30-Day Notice of Proposed Information Collection: Section 811 Project Rental Assistance for Persons With Disabilities

**AGENCY:** Office of the Chief Information Officer, 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 30 days of public comment.

**DATES:** Comments Due Date: March 30, 2017.

**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: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202–395–5806, Email: [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Colette Pollard, Reports Management

Officer, QMAC, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email [Colette.Pollard@hud.gov](mailto:Colette.Pollard@hud.gov), or telephone 202–402–3400. This is not a toll-free number. Person 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. The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on December 9, 2016 at 81 FR 89132.

#### A. Overview of Information Collection

##### *Title of Information Collection:*

Section 811 Project Rental Assistance for persons with Disabilities.

*OMB Approval Number:* 2502–0608.

*Type of Request:* Revision of currently approved.

*Form Number:* SF–424, SF–424

Supplement, SF–LLL, HUD–2880, HUD–424CB, HUD–2993, HUD–2990, HUD–96011, HUD–2994–A, HUD–96010, HUD–92235, HUD–92236, HUD–92237, HUD–92238, HUD–92240, HUD–92239, HUD–92241, HUD–92243, HUD–93205.

*Description of the need for the information and proposed use:* The collection of this information is necessary to the Department to assist HUD in determining applicant eligibility and capacity to award and administer the HUD PRA funds within statutory and program criteria. A thorough evaluation of an applicant's submission is necessary to protect the Government's financial interest.

*Respondents:* (i.e. affected public): State, Local or Tribal Government, Not-for-profit institutions, Business or other for-profit.

*Estimated Number of Respondents:* 5020.

*Estimated Number of Responses:* 5065.

*Frequency of Response:* On occasion.  
*Average Hours per Response:* Varies from 30 minutes to 40 hours.

*Total Estimated Burden:* 24,833.05.

#### 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: February 22, 2017.

**Colette Pollard,**

*Department Reports Management Officer, Office of the Chief Information Officer.*

[FR Doc. 2017–03872 Filed 2–27–17; 8:45 am]

**BILLING CODE 4210–67–P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5997–N–12]

### 30 Day Notice of Proposed Information Collection: 2017 American Housing Survey

**AGENCY:** Office of the Chief Information Officer, HUD.

**ACTION:** Notice.

**SUMMARY:** The Department of Housing and Urban Development (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 30 days of additional public comment.

**DATES:** *Comments Due Date:* March 30, 2017.

**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: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202–395–5806. Email: [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Anna Guido, Reports Management Officer, QDAM, Department of Housing

and Urban Development, 451 7th Street SW., Washington, DC 20410; email Anna Guido at [Anna.P.Guido@hud.gov](mailto:Anna.P.Guido@hud.gov) or telephone 202-402-5535. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877-8339. This is not a toll-free number. Copies of available documents submitted to OMB may be obtained from Ms. Guido.

**SUPPLEMENTARY INFORMATION:** HUD will submit the proposed information collection package to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

#### A. Overview of Information Collection

*Title of Information Collection:* 2017 American Housing Survey.

*OMB Control Number:* 2528-0017.

*Description of the need for the information and proposed use:* The purpose of the American Housing Survey (AHS) is to supply the public with detailed and timely information about housing quality, housing costs, and neighborhood assets, in support of effective housing policy, programs, and markets. Title 12, United States Code, Sections 1701Z-1, 1701Z-2(g), and 1710Z-10a mandates the collection of this information.

Like the previous surveys, the 2017 AHS will collect “core” data on subjects, such as the amount and types of changes in the housing inventory, the physical condition of the housing inventory, the characteristics of the occupants, housing costs for owners and renters, the persons eligible for and beneficiaries of assisted housing, remodeling and repair frequency, reasons for moving, the number and characteristics of vacancies, and characteristics of resident’s neighborhood.

In addition to the “core” data, HUD plans to collect “topical” data on disaster and emergency preparedness, how people commute to work and commuting costs, the causes and effects of evictions, and recent delinquent payments and notices for mortgage, rent, or utility bills.

The AHS national longitudinal sample consists of approximately 90,800 housing units, and includes oversample from the 15 largest metropolitan areas, approximately 5,200 HUD-assisted housing units, and approximately 6,000 “bridge sample” housing units. The bridge sample will allow for estimation of longitudinal changes between 2013, 2015, when the AHS introduced a new sample, and 2017. The bridge sample will also facilitate analyses of the impact of survey design changes on

2017 AHS estimates. In addition to the national longitudinal sample, HUD plans to conduct 10 metropolitan area samples, each with approximately 3,000 housing units (for a total of approximately 30,000 metropolitan area housing units).

To help reduce respondent burden on households in the longitudinal sample, the 2017 AHS will make use of dependent interviewing techniques, which will decrease the number of questions asked.

Policy analysts, program managers, budget analysts, and Congressional staff use AHS data to advise executive and legislative branches about housing conditions and the suitability of public policy initiatives. Academic researchers and private organizations also use AHS data in efforts of specific interest and concern to their respective communities.

HUD needs the AHS data for two important uses.

1. With the data, policy analysts can monitor the interaction among housing needs, demand and supply, as well as changes in housing conditions and costs, to aid in the development of housing policies and the design of housing programs appropriate for different target groups, such as first-time home buyers and the elderly.

2. With the data, HUD can evaluate, monitor, and design HUD programs to improve efficiency and effectiveness.

*Members of affected public:* Households.

*Estimated number of respondents:* 129,297.

*Estimated time per response:* 1.16.

*Frequency of response:* One time every two years.

*Estimated total annual burden Hours:* 62,524.

*Estimated total annual cost:* The only cost to respondents is their time. The total estimated cost is \$63,600,000.

*Respondent’s obligation:* Voluntary.

*Legal Authority:* Title 13 U.S.C. Section 9(a), and Title 12, U.S.C., Section 1701z-1 *et seq.*

#### B. Solicitation of Public Comment

This notice solicits 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 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.

#### C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: February 23, 2017.

**Anna P. Guido,**

*Department reports Management Officer,  
Office of the Chief Information Officer.*

[FR Doc. 2017-03874 Filed 2-27-17; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5997-N-11]

### 30-Day Notice of Proposed Information Collection: Family Options Study: Long-Term Tracking

**AGENCY:** Office of Community Planning and Development, 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 30 days of public comment.

**DATES:** *Comments Due Date:* March 30, 2017.

**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: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202-395-5806, Email: [OIRA.Submission@omb.eop.gov](mailto:OIRA.Submission@omb.eop.gov).

#### FOR FURTHER INFORMATION CONTACT:

Anna P. Guido, Reports Management Officer, QMAC, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email Anna P. Guido at [Anna.P.Guido@hud.gov](mailto:Anna.P.Guido@hud.gov) or telephone 202-402-5535. This is not a toll-free number. Person 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. Guido.

**SUPPLEMENTARY INFORMATION:** This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on September 26, 2016 at 81 FR 66076.

**A. Overview of Information Collection**

*Title of Information Collection:* Family Options Study: Long-Term Tracking.

*OMB Approval Number:* 2528-0259.

*Type of Request:* Revision of a currently approved collection.  
*Form Number:* None.  
*Description of the need for the information and proposed use:* The purpose of this proposed information collection is to continue tracking the families that enrolled in the U.S. Department of Housing and Urban Development's (HUD) Family Options Study between September 2010 and January 2012. The Family Options Study is a multi-site experiment designed to test the impacts of different housing and services interventions on homeless families in five key domains: housing stability, family preservation, adult well-being, child well-being, and self-sufficiency. Families who enrolled in the Family Options Study were actively tracked for a minimum of three years after their enrollment into the

study; the last outreach to families took place between March 2014 and March 2015. Both the design and the scale of the study provides a strong basis for conclusions about the relative impacts of the interventions over time; both the short-term (20 month) and long-term (37-month) impacts from this study yielded powerful evidence regarding the impact of a non-time-limited housing subsidy. It is possible, though, that some effects of the various interventions might take longer to emerge, particularly for child well-being. Therefore, HUD wishes to maintain contact with the sample of families in order to observe the longer-term effects of the interventions in a limited set of measures, and to assess the feasibility of an additional round of data collection in the future.

Instrument	Total number of respondents *	Frequency of responses	Total annual responses hours	Burden hours per response (in minutes)	Total annual burden hours	Average hourly wage	Total annual cost
Instrument A—Participant Contact Update Form.	2,264	2	4,528	.08 hours (5 minutes).	362.24	\$10.15	\$3,676.74
Instrument B1/B2—Consent to Participate—Adult Respondent/Family Options Study Information Release Form.	2,264	1	2,264	.17 hours (10 minutes).	384.88	10.15	3,906.53
Instrument C—72-month Tracking Survey.	2,264	1	2,264	.25 hours (15 minutes).	566.00	10.15	5,744.90
Total Burden Hours and Costs.	.....	.....	9,056	.....	1,313.12	.....	13,328.17

**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.

**C. Authority**

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: February 22, 2017.

**Anna P. Guido,**

*Department Reports Management Officer, Office of the Chief Information Officer.*

[FR Doc. 2017-03871 Filed 2-27-17; 8:45 am]

**BILLING CODE 4210-67-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**[FWS-R8-FHC-2017-N014; FXFR13340 88TWG0W4-123-FF08EACT00]**

**Trinity River Adaptive Management Working Group; Public Meeting, Teleconference, and Web-Based Meeting**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, announce a public

meeting of the Trinity River Adaptive Management Working Group (TAMWG). The TAMWG is a Federal advisory committee that affords stakeholders the opportunity to give policy, management, and technical input concerning Trinity River (California) restoration efforts to the Trinity Management Council (TMC). The TMC interprets and recommends policy, coordinates and reviews management actions, and provides organizational budget oversight.

**DATES:** *Public meeting, Teleconference, and Web-based meeting:* The TAMWG will meet from 9:30 a.m. to 4 p.m. Pacific time on Monday, March 20, 2017, and from 9 a.m. to 2 p.m. Pacific time on Tuesday, March 21, 2017.

*Submitting Information:* If you wish to submit written information or questions for the TAMWG to consider during the meeting, you must contact Joseph Polos (**FOR FURTHER INFORMATION CONTACT**) no later than March 15, 2017.

**ADDRESSES:** *Meeting:* The meeting will be held at the Trinity River Restoration Program Office, 1313 South Main Street, Weaverville, CA 96093.

**Teleconference:** The call-in number is 866-715-1246, and the participant passcode is 4251781.

**Web-based meeting:** To join the web-based meeting, go to <http://www.mymeetings.com/nc/join.php?sigKey=mymeetings&i=442336293&p=&t=c>.

**FOR FURTHER INFORMATION CONTACT:** Joseph C. Polos, by mail at U.S. Fish and Wildlife Service, 1655 Heindon Road, Arcata, CA 95521; by telephone at 707-822-7201; or by email at [joe.polos@fws.gov](mailto:joe.polos@fws.gov). Individuals with a disability may request an accommodation by sending an email to either point of contact.

**SUPPLEMENTARY INFORMATION:** In accordance with the requirements of the Federal Advisory Committee Act, 5 U.S.C. App., we announce that the Trinity River Adaptive Management Working Group will hold a meeting on March 20-21, 2017. The TAMWG affords stakeholders the opportunity to give policy, management, and technical input concerning Trinity River (California) restoration efforts to the TMC. The TMC interprets and recommends policy, coordinates and reviews management actions, and provides organizational budget oversight.

#### Meeting Agenda

- Agenda/Minutes
- Designated Federal Officer (DFO) updates (including elections of TAMWG officials);
- TMC Chair Report;
- Executive Director's Report;
- Water Year 2017 flow and gravel augmentation recommendations;
- Current TMC issues; and
- Public comment.

The final agenda will be posted on the Internet at <http://www.fws.gov/arcata>.

#### Public Input

Interested members of the public may submit relevant information or questions for the TAMWG to consider during the meeting. Written statements must be received by the date listed in **DATES**, so that the information may be available to the TAMWG for their consideration prior to this meeting. Written statements must be supplied to Joseph Polos in one of the following formats: One hard copy with original signature, one electronic copy with original signature, and one electronic copy via email (acceptable file formats are Adobe Acrobat PDF, MS Word, PowerPoint, or rich text file).

Registered speakers who wish to expand on their oral statements, or those who wished to speak but could not be accommodated on the agenda,

may submit written statements to Joseph Polos up to 7 days after the meeting.

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.

#### Meeting Minutes

Summary minutes of the meeting will be maintained by Joseph Polos (see **FOR FURTHER INFORMATION CONTACT**). The minutes will be available for public inspection within 14 days after the meeting, and will be posted on the TAMWG Web site at <http://www.fws.gov/arcata>.

Dated: February 22, 2017.

#### Joseph C. Polos,

*Supervisory Fish Biologist, Arcata Fish and Wildlife Office, Arcata, California.*

[FR Doc. 2017-03853 Filed 2-27-17; 8:45 am]

**BILLING CODE 4333-15-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

[178A2100DD/AAAA003010/AOT602020.999900]

### Three Affiliated Tribes; Amendments to Alcoholic Beverages Control Law

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

**ACTION:** Notice.

**SUMMARY:** This notice publishes an amendment to the Three Affiliated Tribes' Alcoholic Beverages Control Law (Law). The amended Law supersedes the existing Three Affiliated Tribes Alcoholic Beverages Control Law, first enacted by the Three Affiliated Tribes in 1986, with an amendment last published in the **Federal Register** on March 12, 2007 (72 FR 11049).

**DATES:** This Law shall become effective March 30, 2017.

**FOR FURTHER INFORMATION CONTACT:** Mr. Todd Gravelle, Supervisory Tribal Operations Specialist, Great Plains Regional Office, Bureau of Indian Affairs, 115 Fourth Avenue South East, Suite 400, Aberdeen, South Dakota 57401 Telephone: (605) 226-7376, Fax: (605) 226-7379.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Act of August 15, 1953, Public

Law 83-277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor control laws for the purpose of regulating liquor transactions in Indian country. The Three Affiliated Tribes' Business Council first adopted the Alcoholic Beverages Control Law, published in the **Federal Register**, on February 6, 1987, (52 FR 3869-02). The Three Affiliated Tribes' Business Council duly adopted an amendment to Chapter II, Section 5 of the Law that was published in the **Federal Register** on March 12, 2007 (72 FR 11049). This **Federal Register** Notice comprehensively amends and supersedes the existing Alcoholic Beverages Control Law, enacted by the Three Affiliated Tribes' Business Council on November 22, 2016. By the delegated authority contained in 3 IAM 4.4, the Great Plains Regional Director, Bureau of Indian Affairs, approved the amendment to the Alcoholic Beverage Control Ordinance on January 4, 2017. This notice is published in accordance with the authority delegated by the Secretary of the Interior to the Assistant Secretary-Indian Affairs. I certify that the Three Affiliated Tribes' Business Council, duly adopted these amendments to the Alcoholic Beverages Control Law on November 22, 2016.

Dated: February 10, 2017.

#### Michael S. Black,

*Acting Assistant Secretary-Indian Affairs.*

The Three Affiliated Tribes' Alcoholic Beverages Control Law, as amended, shall read as follows:

### Three Affiliated Tribes Alcoholic Beverages Control Law

#### Chapter I. General Provisions

##### Section 1. Definitions

In this Ordinance, (1) "Alcohol" shall mean neutral spirits distilled at or above 190° proof, whether or not such product is subsequently reduced, for nonindustrial use.

(2) "Alcoholic beverages" shall mean any liquid suitable for drinking by human beings, which contains one-half of one percent or more of alcohol by volume.

(3) "Beer" shall mean any malt beverage containing more than one-half of one percent of alcohol by volume.

(4) "Distilled spirits" shall mean any alcoholic beverage that is not beer, wine, sparkling wine or alcohol.

(5) "Licensed premises" means the premises on which beer, liquor, or alcoholic beverages are normally sold or dispensed and shall be delineated by

diagram or blueprint which shall be included with the license application or the license renewal application.

(6) "Liquor" shall mean any alcoholic beverage except beer.

(7) "On-Sale" shall mean the sale of any alcoholic beverage for consumption only upon the premises where sold.

(8) "Off-Sale" shall mean the sale of any alcoholic beverage for consumption off the premises where sold.

(9) "Sale" shall mean the transfer of bottled or canned alcoholic beverage for currency exchange of title to such alcoholic beverages.

(10) "Sparkling wine" shall mean wine made effervescent with carbon dioxide.

(11) "Transport" shall mean the introduction of alcoholic beverages onto the Fort Berthold Reservation by any means of conveyance for the purpose of sale, or distribution, to any licensed retailer.

(12) "Tribal Council" shall mean the governing body of the Three Affiliated Tribes.

(13) "Wine" shall mean the alcoholic beverage obtained by fermentation of agricultural products containing natural or added sugar or such beverage fortified with brandy and containing not more than twenty-four percent alcohol by volume.

(14) The terms, "the provisions of this Ordinance" as provided in this Ordinance, or similar terms, shall include all rules and regulations established by the Tribal Legal Department, and approved by Council, to aid in the administration or enforcement of this Ordinance.

### *Section 2. Public Policy Declared*

This Ordinance shall be cited as the "Three Affiliated Tribes Alcoholic Beverages Control Law" and, pursuant to the constitutional and inherent sovereignty of the Three Affiliated Tribes, along with the authority delegated to the Tribe by the Congress of the United States to regulate the manufacture, distribution, sale, possession and consumption of alcoholic beverages within the territory of the Tribe, shall be exercised for the purpose of protecting the welfare, health, peace, morals and safety of all people residing on the Fort Berthold Reservation. All the provisions of this Ordinance shall be liberally construed to accomplish the above declared purpose. It is the Three Affiliated Tribes' declared intent in enacting this Ordinance to prohibit all traffic in alcoholic beverages on the Fort Berthold Indian Reservation except to the extent allowed and permitted under the express terms of this Ordinance.

### *Section 3. Exceptions*

Nothing contained in this title shall be construed to apply to the following articles, when they are unfit for beverages purposes:

(1) Denatured alcohol produced and used pursuant to acts of Congress, and the regulations thereunder;

(2) Patent, propriety, medical, pharmaceutical, antiseptic, and toilet preparations;

(3) Flavoring extracts, syrups, and food products; nor to the manufacture or sale of said articles containing alcohol. This title shall not apply to wines delivered to priests, rabbis, and ministers for sacramental use.

### *Section 4. General Prohibition*

It shall be unlawful to manufacture for sale, sell, offer, or keep for sale, or transport alcoholic beverages on the Fort Berthold Reservation except upon the terms, conditions, limitations, and restrictions specified in this Ordinance.

## **Chapter II. Retail Licensing**

### *Section 1. Tribal Retail License Required*

No person shall engage in the sale of alcoholic beverages at retail without first securing an appropriate license from the Three Affiliated Tribes as provided herein.

### *Section 2. Qualifications for Retail License*

No retail license shall be issued to any person unless the applicant shall file a sworn application, accompanied by the required fee, showing the following qualifications:

(1) The applicant, other than corporate, must be a legal resident of the United States and a resident of the Fort Berthold Indian Reservation and be a person of good moral character.

(2) If the applicant is a corporation then the manager of the licensed premises and its officers, directors and stockholders must be legal residents of the United States and persons of good moral character. Corporate applicants must also be properly registered with the Three Affiliated Tribes as entitled to do business on the Fort Berthold Reservation.

(3) The applicant or manager must not have been convicted of an offense determined by the Three Affiliated Tribes to have a direct bearing upon an applicant's or manager's ability to serve the reservation public as a licensed alcoholic beverage retailer.

(4) The Three Affiliated Tribes may also require the applicant to set forth such other information in this application as is necessary to enable

them to determine if a license should be granted.

### *Section 3. License Fees*

The fee for an annual on and off sale liquor license shall be set by tribal resolution at not less than two hundred dollars nor more than two thousand and one hundred dollars. The fee for an annual on and off sale beer license shall be set by tribal resolution at not less than fifty dollars nor more than six hundred dollars.

### *Section 4. Special Permit Authorized*

The Three Affiliated Tribes may by special permit authorize an on sale, off sale, or on or off sale alcoholic beverage licensee to engage in the sale of alcoholic beverages at special events on licensed premises as may be designated by the permit. A fee for the special permit may be set by tribal resolution at not more than twenty-five dollars. The permit shall not be valid for a period greater than three consecutive days.

### *Section 5: Dispensing Prohibited on Certain Days*

A person may not dispense or permit the consumption of alcoholic beverages on a licensed premises between the hours of two a.m. and twelve noon on Sundays, between the hours of two a.m. and eight a.m. on all other days of the week, or on Christmas Day or after six p.m. on Christmas Eve. In addition a person may not provide off-sale after one a.m. on Thanksgiving Day.

### *Section 6. Prohibitions as to Persons Under Twenty-One Years of Age*

No licensee shall dispense alcoholic beverages to a person under twenty-one years of age or permit such person to remain on the licensed premises while alcoholic beverages are being sold or displayed. Any person under twenty-one years of age may remain in a restaurant where alcoholic beverages are being sold if the restaurant is separated from the room in which alcoholic beverages are opened or mixed, if gross sales of food are at least equal to gross sales of alcoholic beverages which are consumed in the dining area or if (1) employed by the restaurant as a food waiter, food waitress, busboy, or busgirl under the direct supervision of a person twenty-one or more years of age, and not engaged in the sale, dispensing, delivery, or consumption of alcoholic beverages, or (2) if the person is a law enforcement officer entering the premises in the performance of official duty. Any premises where alcoholic beverages are sold may employ persons from eighteen to twenty-one years of age to work in the capacity of musicians

under the direct supervision of a person over twenty-one years of age.

### Chapter III. Wholesale Licensing

#### Section 1. Tribal Wholesale License

No person shall engage in the sale of alcoholic beverages at wholesale without first securing an appropriate license from the Three Affiliated Tribes as provided herein. Such a license shall allow sale only to licensed retailers.

#### Section 2. Qualifications for Wholesale License

No such license shall be issued unless the applicant shall file a sworn application, accompanied by the required fee, showing the following qualifications:

(1) Applicant other than corporate must be a legal resident of the United States and a person of good moral character. If the applicant is a corporation, the manager of the licensed premises must be a citizen of the United States and a person of good moral character, and the officers, directors and stockholders must be legal residents of the United States and persons of good moral character. Corporate applicants must also be registered with the Three Affiliated Tribes as entitled to do business on the Fort Berthold Reservation.

(2) The Tribal Business Council may require the applicant to set forth such other information as is necessary to enable it to determine if a license should be granted.

#### Section 3. License Fees

The fee for an annual wholesale license shall be set by tribal resolution at not less than two hundred dollars nor more than one thousand and one hundred dollars.

### Chapter IV. Transport Licensing

#### Section 1. Tribal Transport License Required

No person shall engage in the transport for sale, or distribution of alcoholic beverages on the Fort Berthold Reservation without first securing an appropriate license from the Three Affiliated Tribes as provided herein. Such a license shall allow the delivery, or distribution, of alcoholic beverages only to licensed retailers.

#### Section 2. Qualifications for License

No such license shall be issued unless the applicant shall file a sworn application, accompanied by the required fee showing the following qualifications:

(1) An Applicant other than corporate must be a legal resident of the United

States and a person of good moral character. If the applicant is a corporation, the manager of the licensed premises must be a citizen of the United States and a person of good moral character, and the officers, directors and stockholders must be legal residents of the United States and persons of good moral character. Corporate applicants must also be registered with the Three Affiliated Tribes as entitled to do business on the Fort Berthold Reservation.

(2) The Tribal Council may require the applicant to set forth such other information as is necessary to enable it to determine if a license should be granted.

#### Section 3. License Fees

The fee for an annual transport license shall be set by tribal resolution at not less than two hundred dollars and no more than one thousand and one hundred dollars.

### Chapter V. Taxation

#### Section 1. Tax on Retail Sales of Alcoholic Beverages

(1) There is hereby imposed a tax of seven percent (7%) on the gross receipts of all sales at retail of alcoholic beverages within the exterior boundaries of the Fort Berthold Reservation.

(2) Licensed alcoholic beverage retailers shall be liable for the collection and remittance of the tax on the retail sale price of alcoholic beverages. Licensed alcoholic beverage retailers shall keep accurate records of all sales of alcoholic beverages and shall file monthly returns with the Three Affiliated Tribes' Tax Commission, on such forms as the Tax Commission may require, showing the quantity and the price of alcoholic beverages sold at retail, along with the amount of the tax due and other information which the department may reasonably require. Said monthly return shall be transmitted to the Tax Commission no later than 30 days after the month covered by the return. The tax due for that month shall be remitted together with the monthly return.

(3) Licensed alcoholic beverage retailers shall keep, in current and available form on the licensed premises, records of all purchases, sales, and quantities on hand and such other information as the Tax Commission may reasonably require. The Tax Commission may require from any licensee any reports he shall prescribe, and he may require the production of any book, record, document, invoice, and voucher kept, maintained, received,

or issued by any such licensee in connection with his business, which in the judgment of the Tax Commission may be necessary to administer and discharge his duties, to secure the maximum of revenue to be paid, and to carry out the provisions of law. If default is made, or if any such licensee fails or refuses to furnish any other reports or information referred to upon request therefor, the Tax Commission may enter the premises of such licensee where the records are kept and make such examination as is necessary to compile the required report. The cost of such examination shall be paid by the licensee whose reports are in default.

#### Section 2. Reports Required on Shipments of Beverages Into Reservation

Any person who transports, sells or ships alcoholic beverages for sale or distribution within this Reservation shall forward to the Tax Commission such a report as the Tax Commission shall require, giving the name and address of the licensee or person making the purchase, the quantity and kind of alcoholic beverages sold, the manner of delivery and such other information as the Tax Commission requires.

#### Section 3. Administration and Enforcement

The provisions of the Tribal Tax Code of the Three Affiliated Tribes pertaining to all aspects of the administration and enforcement of Tribal taxes shall govern the administration and enforcement of the tax on retail sales of alcoholic beverages imposed herein.

### Chapter VI. Penalties Imposed for Violations of Ordinance

#### Section 1. General Penalties.

Anyone violating this ordinance shall be subject to civil penalties and/or suspension or revocation of their tribal license according to a schedule of penalties established by the Tribal Legal Department and approved for publication by the Tribal Business Council.

#### Section 2. Hearing on Alleged Violations

Anyone having information that a person has violated any provisions of this ordinance may file with the Tribal Legal Department an affidavit specifically setting forth such violation. Upon receipt of such affidavit, the Legal Department shall set the matter for hearing not later than the next regular meeting of the Tribal Council. A copy of the affidavit and notice of hearing shall be mailed to the affected person by registered mail not less than five days before such hearing. A record of such

hearings will be made by stenographic notes or by the use of an electronic recording device. The person shall have the right to be represented by counsel, question witnesses and examine the evidence against him as well to present evidence and witnesses in his own defense.

### *Section 3. Suspension or Revocation of License*

If after such hearing the Tribal Council finds the violation set forth in the affidavit has been proved by the evidence, an order shall be served on the licensee revoking or suspending his license for a period of time and imposing such other civil penalties as are consistent with a policy established by the Tribal Legal Department and approved by the Tribal Business Council. Such action may be appealed to the Tribal Court which shall have jurisdiction to either vacate, remand or modify the Tribal Council's action, except that the order revoking or suspending the license, or imposing other penalties shall be effective while the appeal is pending.

### *Section 4. Other Penalties*

The Tribal Business Council may impose such other civil penalties, according to a policy established by the Tribal Legal Department and approved by the Tribal Business Council, for any violation of this Ordinance including the failure to apply for or to possess the appropriate tribal license. Such tribal action imposing such penalties on any person may be appealed to Tribal Court, which shall have jurisdiction to either vacate, remand or modify the Tribal Council's action except that the imposition of the penalties shall be effective while the appeal is pending.

### *Section 5. Powers of Tribal Chairman*

The Tribal Chairman, or his designee, at a hearing under this Ordinance shall have the power to administer oaths and subpoena and examine witnesses.

### *Section 6. Effect of Findings on Tribal Court*

The Tribal Court, in any matter heard on appeal under this ordinance, shall give substantial weight to the findings of fact made by the Tribal Business Council.

### *Section 6. Sovereign Immunity*

The jurisdiction of the Tribal Council and Tribal Court under this Chapter shall be exclusive. Except as authorized in this Chapter with respect to the Tribal Court's jurisdiction to hear appeals under sections 3 and 4, nothing in this Ordinance shall be construed to

waive the Tribe's sovereign immunity from suit.

## **Chapter VII. Miscellaneous Provisions**

### *Section 1. Agreement by Licensee To Grant Access for Inspection Purposes*

Every licensee under this Ordinance, as a condition of the grant of a tribal license, consents to the inspection of his premises, including all buildings, safes, cabinets, lockers and storerooms thereon. Such inspection shall be available upon the demand of the Tribal Tax Commission. These inspections shall be conducted by a duly appointed designee of the Tribal Tax Commission, or tribal or federal police. All books and records dealing with the sale or ownership of alcoholic beverages shall be open for inspection purposes by the duly authorized tribal authorities.

### *Section 2. Recovery of Damages Resulting From Intoxication*

Every spouse, child, parent, guardian, employer, or other person who is injured by any intoxicated person, or in consequence of intoxication, shall have a right of action in Tribal Court against any person who caused such intoxication by disposing, selling, bartering, or giving away alcoholic beverages for all damages sustained and in the event death ensues the survivors of the decedent may prosecute such an action in their own name.

### *Section 3. Surety Bond Required*

(1) Every application for a license under this Ordinance, unless exempted by the Tribal Business Council, must be accompanied by a bond, which shall become operative and effective upon the issuance of a license unless the licensee already has a continuing bond in force. The bond shall be in the amount of \$10,000.00 and must be in a form approved by the Tribal Business Council and it shall be conditioned that the licensee will faithfully obey and abide by all the provisions of this Ordinance and all existing laws relating to the conduct of its business and will promptly pay to the Three Affiliated Tribes when due all license fees payable by him under the provisions of this Ordinance and also any costs and penalties assessed against him in any determination that he violated the terms of this Ordinance.

(2) All bonds required by this Ordinance shall be with a corporate surety as surety, or shall be by cash deposit. If said bond is placed by cash, it shall be kept in a separate escrow account with a bank.

### *Section 4. Severability*

If any section of this Ordinance, or any part thereof, is held to be invalid or inapplicable for any cause whatsoever, the remainder of this Ordinance shall not be affected thereby and shall remain in full force and effect as though no part thereof had been declared invalid.

### *Section 5. Compliance With 18 U.S.C. 1161*

The Tribal Business Council finds that this Ordinance complies with the requirements of 18 U.S.C. 1161.

### *Section 6. All Prior Ordinances and Resolutions Repealed*

All prior ordinances and resolutions or provisions thereof that are inconsistent with any provisions of this ordinance are hereby repealed.

[FR Doc. 2017-03839 Filed 2-27-17; 8:45 am]

BILLING CODE 4337-15-P

## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Land Management**

[16X.LLAKF02000. L51010000. ER0000. LVRWL16L0980]

### **Notice of Intent and Extension of Time To Prepare an Environmental Impact Statement for the Proposed Ambler Mining District Industrial Access Road, Alaska**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of intent and extension of time.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), the Federal Land Policy and Management Act of 1976, as amended (FLPMA), and the Alaska National Interest Lands Conservation Act of 1980, as amended (ANILCA), the Bureau of Land Management (BLM) Central Yukon Field Office, Fairbanks, Alaska, intends to prepare an Environmental Impact Statement (EIS) for Federal authorizations to construct and operate an approximately 211-mile long industrial access road in the southern Brooks Range foothills of Alaska, originating at the Dalton Highway in the vicinity of Prospect Creek and terminating at the Ambler Mining District, which would not be open for public access. By this notice, the BLM is announcing the beginning of the EIS scoping process to solicit public comments and identify issues, and is extending the periods to complete the Draft and Final EIS, in accordance with ANILCA section 1104(e).



**DATES:** This notice initiates the public scoping process for the EIS, and extends completion dates for the Draft and Final EIS. Comments on relevant issues that will influence the scope of the EIS for the proposed Ambler Road project may be submitted in writing until May 30, 2017. The BLM will provide opportunities for public participation during scoping meetings with appropriate public notice. The date(s) and location(s) of scoping meetings will be announced at least 15 days in advance through local media, newspapers, and the BLM ePlanning Web site at: <https://eplanning.blm.gov/epl-front-office/eplanning/projectSummary.do?methodName=renderDefaultProjectSummary&projectId=57323>.

In order to be considered for the Draft EIS, all comments must be received prior to the close of the 90-day scoping period or 15 days after the last public scoping meeting, whichever is later. The BLM will provide additional opportunities for public participation upon publication of the Draft EIS, including public meetings and a public comment period. If required, ANILCA section 810 subsistence hearings will be held concurrently with the Draft EIS public involvement meetings. Federal, State or local agencies, or tribes who are interested in serving as a cooperating agency for the development of the EIS are asked to submit such requests to the BLM.

The dates for completion of the Draft EIS and Final EIS are extended to March 29, 2019, and December 30, 2019, respectively.

**ADDRESSES:** You may submit comments on issues related to the proposed project by any of the following methods:

- email: [BLM\\_AK\\_AKSO@blm.gov](mailto:BLM_AK_AKSO@blm.gov)
- fax: (907) 271-5479.
- mail: Ambler Road Scoping

Comments, 222 West 7th Avenue, Stop #13, Anchorage, Alaska 99513.

Documents pertinent to this proposal may be examined at the BLM Alaska Public Room, Fairbanks District Office, 222 University Avenue, Fairbanks, Alaska 99709; and at the BLM Alaska Public Information Center, Alaska State Office, 222 West 7th Avenue, Anchorage, Alaska 99513.

**FOR FURTHER INFORMATION CONTACT:** Tim LaMarr; Central Yukon Field Office Manager, 907-474-2356, [tlamarr@blm.gov](mailto:tlamarr@blm.gov). Also contact Mr. LaMarr if you wish to add your name to the mailing list to receive further information about this project. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay

Service (FRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FRS is available 24 hours a day, seven days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** On November 24, 2015, the Alaska Industrial Development and Export Authority (AIDEA) submitted a consolidated application pursuant to ANILCA sections 201(4)(c) and 1104(c) with the BLM, National Park Service, U.S. Coast Guard, and U.S. Army Corps of Engineers. The application requests the issuance of right-of-way grants, permits for constructing bridges over navigable waters and for filling waters of the United States, and related authorizations associated with the proposed construction and operation of an approximately 211-mile long all-season industrial access road. The proposed controlled access road is named the Ambler Mining District Industrial Access Project.

After submission of supplemental information on June 30, 2016, the application was determined to be complete. The proposed access road, if approved, would be in conformance with the BLM's 1991 Utility Corridor Resource Management Plan and the 2008 Kobuk-Seward Peninsula Resource Management Plan. Accordingly, no plan amendment would be required. In accordance with 43 CFR 36.5(d)(1), the filing date of the application was revised to June 30, 2016. BLM is the lead Federal agency in the development of an EIS for the proposed project. The list of cooperating agencies in the development of the EIS currently includes the U.S. Coast Guard, U.S. Army Corps of Engineers, and the State of Alaska.

Pursuant to 40 CFR 1502.4, the EIS is being prepared for the purpose of authorizing a BLM right-of-way grant and related authorizations to AIDEA for the construction, operation, and maintenance of the proposed road, as well as required permits from the U.S. Coast Guard and U.S. Army Corps of Engineers.

The proposed road would extend from the Dalton Highway in the vicinity of Prospect Creek to the Ambler Mining District in the Kobuk Valley of Northwest Alaska, which is located approximately 180 miles north of Fairbanks in the southern Brooks Range foothills of Alaska. The road would begin on BLM-managed lands within the Dalton Highway Utility Corridor would continue for approximately 18

miles. The road would then extend across State land and lands privately owned by Alaska Native corporations, and isolated BLM-managed parcels. The proposed road would cross roughly 24 miles of BLM-managed lands in total. In addition, approximately 26 miles of the proposed road would cross the Gates of the Arctic National Preserve, a conservation system unit (CSU) established by ANILCA section 201(4). This section of ANILCA specifically directs the Secretary of the Interior to authorize the road through the Preserve but does not address other public lands.

The purpose of the public scoping process is to determine relevant issues that will influence the scope of the environmental analysis, including alternatives, and to guide the process for developing the EIS. At present, the BLM has identified the following preliminary issues for evaluation in the EIS:

- Air quality
- climate change effects
- invasive species
- mining
- recreational activities
- social and economic impacts
- impacts to rural and traditional lifestyles
- subsistence use and access
- travel management
- public access
- wildlife and biological resources
- special status species
- fish and aquatic species
- water
- wetlands and riparian
- wilderness characteristics
- cultural resources
- geology and soils
- critical minerals
- demand for gravel resources
- reasonably foreseeable future activities

The BLM will identify, analyze, and require mitigation, as appropriate, to address the reasonably foreseeable impacts to resources from the approval of this project. Mitigation may include avoidance, minimization, rectification, reduction or elimination over time, and compensatory mitigation, and may be considered at multiple scales, including the landscape-scale.

The BLM will utilize and coordinate the NEPA scoping process to help fulfill the public involvement process under the National Historic Preservation Act (NHPA) Public Law 89-665, as amended by Public Law 96-515, and as provided in 36 CFR 800.2(d)(3). The information about historic and cultural resources within the area potentially affected by the proposed action will assist the BLM in identifying and evaluating impacts to such resources.



The BLM intends to coordinate the development of the EIS with the National Park Service, which, in accordance with ANILCA section 201(4)(d), is developing a separate environmental and economic analysis solely for the purpose of determining the most desirable route for that portion of the proposed road right-of-way that would cross Gates of the Arctic National Preserve.

The BLM will consult with affected Federally Recognized Tribes on a government-to-government basis, and with affected Alaska Native corporations, in accordance with Executive Order 13175 and other policies. Native concerns, including impacts on Indian trust assets and potential impacts to cultural resources, will be given appropriate consideration. Federal, State, and local agencies, along with tribes and other stakeholders that may be interested in or affected by the proposed project, are invited to participate in the scoping process and, if eligible, may request or be asked by the BLM to participate in the development of the EIS as cooperating agencies.

Pursuant to ANILCA section 1104(e), a Draft EIS must be completed within nine months of the application filing date, and the Final EIS must be completed within one year of the application filing date, unless these periods are extended for good cause by the lead Federal agency. Due to the size and complexity of the proposed project, multiple land managers along the approximately 211-mile route, and the BLM's commitment to work with several relatively isolated rural communities potentially affected by the proposed project, an extension of the timeline is necessary to meet the intent and purpose of NEPA and provide appropriate public involvement. Accordingly, the date for completion of the Draft EIS is extended to March 29, 2019, and the date for completion of the Final EIS is extended to December 30, 2019.

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.

**Authority:** 40 CFR 1501.7 and 43 CFR 1610.2.

**Bud Cribley,**  
*State Director.*

[FR Doc. 2017-03993 Filed 2-27-17; 8:45 am]

**BILLING CODE 4310-JA-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

**[NPS-AKR-GAAR-22618;  
PR.RGAAR1502.00.1]**

#### Extension of Time for Preparation of an Environmental and Economic Analysis, Gates of the Arctic National Preserve

**AGENCY:** National Park Service, Interior.  
**ACTION:** Notice of extension of time.

**SUMMARY:** The time for completion of the draft and final environmental and economic analysis is being extended.

**DATES:** The date for completion of the draft environmental and economic analysis (EEA) is extended to March 29, 2019, and completion of the final EEA is extended to December 30, 2019.

**ADDRESSES:** Superintendent, Gates of the Arctic National Park and Preserve, 4175 Geist Road, Fairbanks, Alaska 99709.

**FOR FURTHER INFORMATION CONTACT:** Greg Dudgeon, Superintendent, Gates of the Arctic National Park and Preserve, 4175 Geist Road, Fairbanks, Alaska 99709. Telephone: 907-457-5752. Email: [yuga\\_ambler\\_road@nps.gov](mailto:yuga_ambler_road@nps.gov).

**SUPPLEMENTARY INFORMATION:** An application for a right-of-way (ROW) across the Western (Kobuk River) unit of Gates of the Arctic National Preserve has been submitted by the Alaska Industrial Development and Export Authority (AIDEA) to the National Park Service, pursuant to section 201(4) of the Alaska National Interest Lands Conservation Act (ANILCA), 16 U.S.C. 410hh(4). That section requires the preparation of an environmental and economic analysis (EEA), and that the final EEA be completed within one year and the draft EEA be completed within nine months of the receipt of an application for such ROW. That analysis, however, is subject to the procedures set out in 16 U.S.C. 3164(e) and implemented by 43 CFR 36.6, which allow for extension of this time for completion of the draft and final EEA if additional time is determined to be necessary.

An application for a ROW was submitted by the AIDEA on November 25, 2015. The application was determined to be sufficient after

submission of supplemental information on June 30, 2016, which was deemed the filing date of the application in accordance with 43 CFR 36.5(d)(1). The draft EEA is currently due nine months from that filing date, on March 30, 2017. The final EEA is currently due one year from that date, on June 30, 2017.

Although the segment of the proposed road within the National Preserve would be only 17 to 25 miles, the entire length of the proposed road would be 221 miles. For the road to be constructed, authorizations are also needed from other federal agencies. These include the U.S. Army Corps of Engineers (wetlands permit) and the Bureau of Land Management (right of way). An environmental impact statement (EIS) is required for those authorizations, and is expected to take several years to complete. In order to properly coordinate the permitting actions among the several agencies, and to minimize the chance of conflicting route determinations for the road, it is necessary to have the timing of the EEA be in general harmony with that of the EIS. For that reason, additional time is needed for the completion of the EEA.

Accordingly, the date for completion of the draft EEA is extended to March 29, 2019, and the date for completion of the final EEA is extended to December 30, 2019.

Dated: February 24, 2017.

**Herbert C. Frost,**  
*Regional Director, Alaska Region.*

[FR Doc. 2017-03991 Filed 2-27-17; 8:45 am]

**BILLING CODE 4312-52-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Ocean Energy Management

#### Notice of Availability of the Proposed Notice of Sale for Cook Inlet Planning Area Outer Continental Shelf Oil and Gas Lease Sale 244; MMAA 104000

**AGENCY:** Bureau of Ocean Energy Management, Interior.

**ACTION:** Notice of availability of the Proposed Notice of Sale for Cook Inlet Planning Area Lease Sale 244.

**SUMMARY:** The Bureau of Ocean Energy Management (BOEM) announces the availability of the Proposed Notice of Sale (NOS) for the proposed Cook Inlet Planning Area Outer Continental Shelf (OCS) Oil and Gas Lease Sale 244 (Cook Inlet Sale 244). This Notice is published pursuant to 30 CFR 556.304(c).

With regard to oil and gas leasing on the OCS, the Secretary of the Interior, pursuant to section 19 of the OCS Lands Act, provides affected States the

opportunity to review the Proposed NOS. The Proposed NOS sets forth the proposed terms and conditions of the lease sale, including minimum bids, royalty rates, and rental rates.

**DATES:** Affected states may comment on the size, timing, and location of proposed Cook Inlet Sale 244 within 60 days following their receipt of the Proposed NOS. The Final NOS will be published in the **Federal Register** at least 30 days prior to the date of bid opening. Bid opening is currently scheduled for June 21, 2017.

**SUPPLEMENTARY INFORMATION:** The Proposed NOS for Cook Inlet Sale 244 and a Proposed NOS Package containing information essential to potential bidders may be obtained from the Alaska OCS Region, Bureau of Ocean Energy Management, 3801 Centerpoint Drive, Ste. 500, Anchorage, Alaska 99508. Telephone: (907) 334-5200. The Proposed NOS and Proposed NOS Package also are available on BOEM's Web site at <http://www.boem.gov/Sale-244/>.

*Agency Contact:* David Diamond, Chief, Leasing Division, [david.diamond@boem.gov](mailto:david.diamond@boem.gov).

Dated: February 16, 2017.

**Walter D. Cruickshank,**

*Acting Director, Bureau of Ocean Energy Management.*

[FR Doc. 2017-03548 Filed 2-27-17; 8:45 am]

**BILLING CODE 4310-MR-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Safety and Environmental Enforcement

[Docket ID BSEE-2016-0012; OMB Number 1014-0025; 17XE1700DX EEEE50000 EX1SF0000.DAQ000]

**Information Collection Activities: Application for Permit To Drill (APD, Revised APD), Supplemental APD Information Sheet, and All Supporting Documentation; Submitted for Office of Management and Budget (OMB) Review; Comment Request**

**ACTION:** 30-day notice.

**SUMMARY:** To comply with the Paperwork Reduction Act of 1995 (PRA), the Bureau of Safety and Environmental Enforcement (BSEE) is notifying the public that we have submitted to OMB an information collection request (ICR) to renew approval of the paperwork requirements in the regulations at 30 CFR part 250, *Oil and Gas and Sulfur Operations in the Outer Continental Shelf*. This notice also provides the public a second

opportunity to comment on the revised paperwork burden of these regulatory requirements.

**DATE:** You must submit comments by March 30, 2017.

**ADDRESSES:** Submit comments by either fax (202) 395-5806 or email (*OIRA\_Submission@omb.eop.gov*) directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (1014-0025). Please provide a copy of your comments to BSEE by any of the means below.

- Electronically go to <http://www.regulations.gov>. In the Search box, enter BSEE-2016-0012 then click search. Follow the instructions to submit public comments and view all related materials. We will post all comments.

- Email [kye.mason@bsee.gov](mailto:kye.mason@bsee.gov), fax (703) 787-1546, or mail or hand-carry comments to the Department of the Interior; Bureau of Safety and Environmental Enforcement; Regulations and Standards Branch; ATTN: Nicole Mason; 45600 Woodland Road, Sterling, VA 20166. Please reference ICR 1014-0025 in your comment and include your name and return address.

**FOR FURTHER INFORMATION CONTACT:**

Nicole Mason, Regulations and Standards Branch, (703) 787-1607, to request additional information about this ICR. To see a copy of the entire ICR submitted to OMB, go to <http://www.reginfo.gov> (select Information Collection Review, Currently Under Review).

**SUPPLEMENTARY INFORMATION:**

*Title:* 30 CFR part 250, Application for Permit to Drill (APD, Revised APD), Supplemental APD Information Sheet, and all supporting documentation.

*Form(s):* BSEE-0123 and -0123S.

*OMB Control Number:* 1014-0025.

*Abstract:* The Outer Continental Shelf (OCS) Lands Act at 43 U.S.C. 1334 authorizes the Secretary of the Interior to prescribe rules and regulations necessary for the administration of the leasing provisions of that Act related to mineral resources on the OCS. Such rules and regulations will apply to all operations conducted under a lease, right-of-way, or a right-of-use and easement. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to

ensure the public a fair and equitable return on the resources of the OCS; and to preserve and maintain free enterprise competition.

In addition to the general rulemaking authority of the OCSLA at 43 U.S.C. 1334, section 301(a) of the Federal Oil and Gas Royalty Management Act (FOGRMA), 30 U.S.C. 1751(a), grants authority to the Secretary to prescribe such rules and regulations as are reasonably necessary to carry out FOGRMA's provisions. While the majority of FOGRMA is directed to royalty collection and enforcement, some provisions apply to offshore operations. For example, section 108 of FOGRMA, 30 U.S.C. 1718, grants the Secretary broad authority to inspect lease sites for the purpose of determining whether there is compliance with the mineral leasing laws. Section 109(c)(2) and (d)(1), 30 U.S.C. 1719(c)(2) and (d)(1), impose substantial civil penalties for failure to permit lawful inspections and for knowing or willful preparation or submission of false, inaccurate, or misleading reports, records, or other information. Because the Secretary has delegated some of the authority under FOGRMA to BSEE, 30 U.S.C. 1751 is included as additional authority for these requirements.

The Independent Offices Appropriations Act (31 U.S.C. 9701), the Omnibus Appropriations Bill (Pub. L. 104-133, 110 Stat. 1321, April 26, 1996), and OMB Circular A-25, authorize Federal agencies to recover the full cost of services that confer special benefits. Under the Department of the Interior's implementing policy, BSEE is required to charge fees for services that provide special benefits or privileges to an identifiable non-Federal recipient above and beyond those which accrue to the public at large. Applications for permits to drill are subject to cost recovery, and BSEE regulations specify a service fee for this request.

This authority and responsibility are among those delegated to BSEE. The regulations at 30 CFR part 250 stipulates the various requirements that must be submitted with forms BSEE-0123, Application for Permit to Drill (APD), Revised APD, and BSEE-0123S, Supplemental APD Information Sheet. The forms and the numerous submittals included with them are the subject of this collection. There are no changes being made to the forms with this ICR submission. This request also covers any related Notices to Lessees and Operators (NTOs) that BSEE issues to clarify, supplement, or provide

additional guidance on some aspects of our regulations.

Most responses are mandatory, while some are required to obtain or retain a benefit. No questions of a sensitive nature are asked. BSEE will protect any confidential commercial or proprietary information according to section 26 of OCSLA (43 U.S.C. 1352); the Freedom of Information Act (5 U.S.C. 552); and DOI's implementing regulations (43 CFR 2), and according to 30 CFR 250.197, *Data and information to be made available to the public or for limited inspection*, and 30 CFR part 252, *OCS Oil and Gas Information Program*.

BSEE uses the information from forms BSEE-0123 and BSEE-0123s to ensure safe drilling operations and to protect the human, marine, and coastal environment. Among other things, BSEE specifically uses the information to ensure: The drilling unit is fit for the intended purpose; the lessee or operator will not encounter geologic conditions that present a hazard to operations; equipment is maintained in a state of readiness and meets safety standards; each drilling crew is properly trained and able to promptly perform well-control activities at any time during well operations; compliance with safety standards; and the current regulations will provide for safe and proper field or reservoir development, resource evaluation, conservation, protection of correlative rights, safety, and environmental protection. We also review well records to ascertain whether drilling operations have encountered hydrocarbons or H2S and to ensure that H2S detection equipment, personnel protective equipment, and training of the crew are adequate for safe operations in zones known to contain H2S and zones where the presence of H2S is unknown.

Also, we use the information to determine the conditions of a drilling site to avoid hazards inherent in drilling operations. Specifically, we use the

information to evaluate the adequacy of a lessee's or operator's plan and equipment for drilling, sidetracking, or deepening operations. This includes the adequacy of the proposed casing design, casing setting depths, drilling fluid (mud) programs, cementing programs, and BOP systems to ascertain that the proposed operations will be conducted in an operationally safe manner that provides adequate protection for the environment. The BSEE also reviews the information to ensure conformance with specific provisions of the lease. In addition, except for proprietary data, BSEE is required by the OCS Lands Act to make available to the public certain information submitted on Forms BSEE-0123 and -0123S. The information on the forms is as follows:

**BSEE-0123**

*Heading:* BSEE uses the information to identify the type of proposed drilling activity for which approval is requested.

*Well at Total Depth/Surface:* Information utilized to identify the location (area, block, lease, latitude and longitude) of the proposed drilling activity.

*Significant Markers Anticipated:* Identification of significant geologic formations, structures and/or horizons that the lessee or operator expects to encounter. This information, in conjunction with seismic data, is needed to correlate with other wells drilled in the area to assess the risks and hazards inherent in drilling operations.

*Question/Information:* The information is used to ascertain the adequacy of the drilling fluids (mud) program to ensure control of the well, the adequacy of the surface casing compliance with EPA offshore pollutant discharge requirements and the shut in of adjacent wells to ensure safety while moving a rig on and off a drilling location, as well that the worst case discharge scenario information reflects the well and is updated if applicable.

This information is also provided in the course of electronically requesting approval of drilling operations via eWell.

**BSEE-0123S**

*Heading:* BSEE uses this information to identify the lease operator, rig name, rig elevation, water depth, type well (exploratory, development), and the presence of H2S and other data which is needed to assess operational risks and safety.

*Well Design Information:* This engineering data identifies casing size, pressure rating, setting depth and current volume, hole size, mud weight, blowout preventer (BOP) and well bore designs, formation and BOP test data and other criteria. The information is utilized by BSEE engineers to verify operational safety and ensure well control to prevent blowouts and other hazards to personnel and the environment. This form accommodates requested data collection for successive sections of the borehole as drilling proceeds toward total depth below each intermediate casing point.

*Frequency:* On occasion and as required by regulations.

*Description of Respondents:* Potential respondents comprise Federal OCS oil, gas, or sulfur lessees and/or operators.

*Estimated Reporting and Recordkeeping Hour Burden:* The estimated annual hour burden for this information collection is a total of 63,561 hours and \$862,104 non-hour costs. The following chart details the individual components and estimated hour burdens. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

[Note: In the Burden Table, a Revised APD hour burden is preceded by the letter R]

BURDEN BREAKDOWN

Citation 30 CFR 250; application for permit to drill (APD)	Reporting or recordkeeping requirement *	Hour burden	Average number of responses	Annual burden hours (rounded)
<b>Non-hour cost burden</b>				
Subparts A, C, D, E, G, H, P.	Apply for permit to drill, sidetrack, bypass, or deepen a well submitted via Forms BSEE-0123 (APD) and BSEE-0123S (Supplemental APD).	1	408 applications .....	408
	(This burden represents only the filling out of the forms, the requirements are listed separately below.)		\$2,113 fee × 408 = \$862,104	

## BURDEN BREAKDOWN—Continued

Citation 30 CFR 250; application for permit to drill (APD)	Reporting or recordkeeping requirement*	Hour burden	Average number of responses	Annual burden hours (rounded)
		<b>Non-hour cost burden</b>		
Subparts D, E, G .....	Obtain approval to revise your drilling plan or change major drilling equipment by submitting a Revised APD and Supplemental APD [no cost recovery fee for Revised APDs]. (This burden represents only the filling out of the forms, the requirements are listed separately below).	1	662 submittals .....	662
<b>Subtotal</b> .....		<b>1,070 responses</b> .....		<b>1,070</b>
		<b>\$862,104 non-hour cost burdens</b>		
<b>Subpart A</b>				
125 .....	Submit evidence of your fee for services receipt .....	Exempt under 5 CFR 1320.3(h)(1).		0
197 .....	Written confidentiality agreement .....	Exempt under 5 CFR 1320.5(d)(2).		0
<b>Subpart C</b>				
300(b)(1), (2) .....	Obtain approval to add petroleum-based substance to drilling mud system or approval for method of disposal of drill cuttings, sand, & other well solids, including those containing NORM.	150	1 request .....	150
<b>Subtotal for C</b> .....		<b>1 response</b> .....		<b>150</b>
<b>Subpart D</b>				
408; 414(h) .....	Request approval of alternate procedures or equipment during drilling operations.	Burden covered under subpart A, 1014–0022.		0
409 .....	Request departure approval from the drilling requirements specified in this subpart; identify and discuss.	1	367 approvals .....	367
410(b); 417(b); 713 .....	Reference well and site-specific information in case it is not approved in your Exploration Plan, Development and Production Plan, Development Operations Coordination Document. Burdens pertaining to EPs, DPPs, DOCDs are covered under BOEM 1010–0151.	8	1 submittal .....	8
410(d) .....	Submit to the District Manager: An original and two complete copies of APD and Supplemental APD; separate public information copy of forms per §250.186.	0.5	380 submittals .....	190
		R–0.5	380 submittals .....	190
411; 412 .....	Submit plat showing location of the proposed well and all the plat requirements associated with this section.	2	380 submittals .....	760
411; 413; 414; 415; 420 ...	Submit design criteria used and all description requirements;	15	707 submittals .....	10,605
	drilling prognosis with description of the procedures you will follow; and			
	casing and cementing program requirements.			
411; 416; 731 .....	Submit diverter and BOP systems descriptions and all the regulatory requirements associated with this section.	11	380 submittals .....	4,180
411; 713 .....	Provide information for using a MODU and all the regulatory requirements associated with this section.	10	682 submittals .....	6,820

## BURDEN BREAKDOWN—Continued

Citation 30 CFR 250; application for permit to drill (APD)	Reporting or recordkeeping requirement *	Hour burden	Average number of responses	Annual burden hours (rounded)
<b>Non-hour cost burden</b>				
411; 418 .....	Additional information required when providing an APD include, but not limited to, rated capacities of drilling rig and equipment if not already on file; drilling fluids program, including weight materials; directional plot; H2S contingency plan; welding plan; and information we may require per requirements, etc.	20	380 submittals .....	7,600
420(a)(7) .....	Include signed registered professional engineer certification and related information.	3	1,034 certification .....	3,102
423(c) .....	Submit for approval casing pressure test procedures and criteria. On casing seal assembly ensure proper installation of casing or liner (subsea BOP's only).	3	527 procedures & criteria	1,581
428(b) .....	Submit to District Manager for approval revised casing setting depths or hole interval drilling depth; include certification by PE.	125	1 submittal .....	125
428(k) .....	Submit a description of the plan to use a valve(s) on the drive pipe during cementing operations for the conductor casing, surface casing, or liner.	125	1 submittal .....	125
432 .....	Request departure from diverter requirements; with discussion and receive approval.	8	53 requests .....	424
460(a) .....	Include your projected plans if well testing along with the required information.	17	2 plans .....	34
462(c) .....	Submit a description of your source control and containment capabilities to the Regional Supervisor and receive approval; all required information.	125	1 submittal .....	125
490(c) .....	Request to classify an area for the presence of H2S	3	91 requests .....	273
	Support request with available information such as G&G data, well logs, formation tests, cores and analysis of formation fluids.	3	73 submittals .....	219
	Submit a request for reclassification of a zone when a different classification is needed.	1	4 requests .....	4
Alaska Region: 410; 412 thru 418; 420; 442; 444; 449; 456; 470; 472. ....	Due to the difficulties of drilling in Alaska, along with the shortened time window allowed for drilling, Alaska hours are done here as stand-alone requirements. Also, note that these specific hours are based on the first APD in Alaska in more than 10 years.	2,800	1 request .....	2,800
<b>Subpart D subtotal .....</b>			<b>5,445 responses .....</b>	<b>39,532</b>
<b>Subpart E</b>				
513 .....	Obtain written approval to begin well completion operations. If completion is planned and the data are available you may submit on forms.	3	288 requests .....	864
		R-3	1 request .....	3
	Submit description of well-completion, schematics, logs, any H2S.	18.5	295 submittals .....	5,458
		R-26	1 submittal .....	26
<b>Subpart E subtotal .....</b>			<b>585 responses .....</b>	<b>6,351</b>

## BURDEN BREAKDOWN—Continued

Citation 30 CFR 250; application for permit to drill (APD)	Reporting or recordkeeping requirement*	Hour burden	Average number of responses	Annual burden hours (rounded)
<b>Non-hour cost burden</b>				
<b>Subpart G</b>				
701 .....	Identify and discuss your proposed alternate procedures or equipment.	Burden covered under subpart A, 1014–0022		0
702 .....	Identify and discuss departure requests .....	Burden covered under subpart A, 1014–0022		0
713(b) .....	Submit plat of the rig's anchor pattern for a moored rig approved in your EP, DPP, or DOCD.	125	1 submittal .....	125
713(e) .....	Provide contingency plan for using dynamically positioned MODU and all the regulatory requirements associated with this section.	10	682 submittals .....	6,820
713(g) .....	Describe specific current speeds when implementing rig shutdown and/or move-off procedures for water depths > 400 meters; discussion of specific measures you will take to curtail rig operations/move-off location.	45	1 submittal .....	45
720(b) .....	Request approval to displace kill-weight fluid; include reasons why along with step-by-step procedures.	5	518 approval requests .....	2,590
721(g)(4) .....	Submit test procedures and criteria for a successful negative pressure test for approval. If any change, submit changes for approval.	2.5 R–4	355 submittals 1 change	888 4
724(b) .....	Submit certification that you have a real-time monitoring plan that meets the criteria listed.	109	1 submittal .....	109
731 .....	Submit complete description of BOP system and components; schematic drawings; certification by BAVO (additional BAVO if BOP is subsea, in HTHP, or surface on floating facility); autoshear, deadman, EDS systems; certification for MIA report.	114	1 submittal .....	114
733(b) .....	Describe annulus monitoring plan; and how the well will be secured if leak is detected.	67	1 submittal .....	67
734(b) .....	Submit verification report from BAVO documenting repairs & that BOP is fit for service.	R–64	1 report .....	64
734(c) .....	Submit revision, including all verifications required, before drilling out surface casing.	R–66	1 submittal .....	66
737(a) .....	Request approval from District Manager to omit BOP pressure test. Indicate which casing strings and liners meet the criteria for this request.	1	358 casing/liner info .....	358
737(b)(2) .....	Request approval of test pressures (RAM BOPs) ....	2	353 requests .....	706
737(b)(3) .....	Request approval of pressure test (annular BOPs) ..	.....	380 requests .....	760
737(d)(2) .....	Submit test procedures for approval for surface BOP.	2.5	507 submittals .....	1,268
737(d)(3); (d)(4) .....	Submit test procedures, including how you will test each ROV intervention function, for approval (subsea BOPs only).	2	507 submittals .....	1,014
737(d)(12) .....	Submit test procedures (autoshear and deadman systems) for approval. Include documentation of the controls/circuitry system used for each test; describe how the ROV will be utilized during this operation.	2.5	507 submittals .....	1,268

## BURDEN BREAKDOWN—Continued

Citation 30 CFR 250; application for permit to drill (APD)	Reporting or recordkeeping requirement *	Hour burden	Average number of responses	Annual burden hours (rounded)
<b>Non-hour cost burden</b>				
738(m) .....	Request approval to use additional well control equipment, including BAVO report; as well as other information required by District Manager.	66	1 request .....	66
738(n) .....	Submit which pipe/variable bore rams have no current utility or well control purposes.	64	1 submittal .....	64
<b>Subpart G subtotal .....</b>			<b>4,177 response .....</b>	<b>16,396</b>
<b>Subpart H</b>				
807(a) .....	Submit detailed information that demonstrates the SSSVs and related equipment are capable of performing in HPHT.	13	1 submittal .....	13
<b>Subpart H subtotal .....</b>			<b>1 response .....</b>	<b>13</b>
<b>Subpart P</b>				
<b>Note that for Sulfur Operations, while there may be 49 burden hours listed, we have not had any sulfur leases for numerous years, therefore, we have submitted minimal burden.</b>				
1605(b)(3) .....	Submit information on the fitness of the drilling unit	6	1 submittal .....	6
1617 .....	Submit fully completed application (Form BSEE-0123) include rated capacities of the proposed drilling unit and of major drilling equipment; as well as all required information listed in this section.	40	1 submittal .....	40
1622(b) .....	Submit description of well-completion or workover procedures, schematic, and if H2S is present.	3	1 submittal .....	3
<b>Subpart P subtotal .....</b>			<b>3 responses .....</b>	<b>49</b>
<b>Total Burden .....</b>			<b>11,282 Responses .....</b>	<b>63,561</b>
			<b>\$862,104 Non Hour Cost Burden</b>	

\* In the future, BSEE may require electronic filing of some submissions.

*Estimated Reporting and Recordkeeping Non-Hour Cost Burden:* We have identified one non-hour cost burden associated with the collection of information for a total of \$862,104. It is the \$2,113 service fee required to recover the Federal Government's processing costs of the APD. We have not identified any other non-hour cost burdens associated with this collection of information.

*Public Disclosure Statement:* The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

*Comments:* Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3501, *et seq.*) requires each agency “. . . to provide notice . . . and otherwise consult with members of the public and affected

agencies concerning each proposed collection of information . . .” Agencies must specifically solicit comments to: (a) Evaluate whether the collection is necessary or useful; (b) evaluate the accuracy of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of technology.

To comply with the public consultation process, on September 22, 2016, we published a **Federal Register** notice (81 FR 65399) announcing that we would submit this ICR to OMB for approval. The notice provided the required 60-day comment period. In addition, § 250.199 provides the OMB Control Number for the information collection requirements imposed by the regulations and forms. The regulations also inform the public that they may

comment at any time on the collections of information and provides the address to which they should send comments. We received no comments in response to the **Federal Register** notice, nor did we receive any unsolicited comments.

*Public Availability of Comments:* 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: February 2, 2017.

**Eric Miller,**

*Acting Deputy Chief, Office of Offshore Regulatory Programs.*

[FR Doc. 2017-03855 Filed 2-27-17; 8:45 am]

**BILLING CODE 4310-VH-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-552-553 and 731-TA-1308 (Final)]

### Certain New Pneumatic Off-the-Road Tires From India and Sri Lanka

#### Determinations

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that an industry in the United States is materially injured by reason of imports of certain new pneumatic off-the-road tires from India, provided for in headings 4011, 8431, 8709, and 8716 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce ("Commerce") to be sold in the United States at less than fair value ("LTFV") and subsidized by the government of India, and by reason of imports of certain new pneumatic off-the-road tires found by Commerce to be subsidized by the government of Sri Lanka.<sup>2 3</sup>

#### Background

The Commission, pursuant to sections 705(b) and 735(b) of the Act (19 U.S.C. 1671d(b) and 19 U.S.C. 1673d(b)), instituted these investigations effective January 8, 2016, following receipt of petitions filed with the Commission and Commerce by Titan Tire Corporation of Des Moines, Iowa ("Titan") and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO, CLC of Pittsburgh, Pennsylvania ("USW"). The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of certain new pneumatic off-the-road tires from India and Sri Lanka

were subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and that imports of certain new pneumatic off-the-road tires from India were not dumped within the meaning of 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on September 12, 2016 (81 FR 62760). The hearing was held in Washington, DC, on January 4, 2017, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission made these determinations pursuant to sections 705(b) and 735(b) of the Act (19 U.S.C. 1671d(b) and 19 U.S.C. 1673d(b)). It completed and filed its determinations in these investigations on February 23, 2017. The views of the Commission are contained in USITC Publication 4669 (February 2017), entitled *Certain New Pneumatic Off-the-Road Tires from India and Sri Lanka: Investigation Nos. 701-TA-552-553 and 731-TA-1308 (Final)*.

By order of the Commission.

Issued: February 23, 2017.

**Lisa R. Barton,**

*Secretary to the Commission.*

[FR Doc. 2017-03906 Filed 2-27-17; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

[OMB Number 1110-0056]

### Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection

**AGENCY:** Justice Management Division, Department of Justice.

**ACTION:** 30-day notice.

**SUMMARY:** The Department of Justice, Justice Management Division has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with established review procedures of the Paperwork Reduction Act of 1995. This proposed information collection was previously published in the **Federal Register** on January 25, 2017, Volume 82, Number 15, Page 8437 allowing for a 60 day comment period.

**DATES:** Comments are encouraged and will be accepted for an additional 30 days until March 30, 2017.

**FOR FURTHER INFORMATION CONTACT:** If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Lubna Shirazi, Office of Information Policy, U.S. Department of Justice, Suite 11050, 1425 New York Avenue NW., Washington, DC 20530.

**SUPPLEMENTARY INFORMATION:** Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, 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;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; 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 submission of responses.

### Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.
2. *The Title of the Form/Collection:* Certification of Identity.
3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form DOJ-361. Facilities and Administrative Services Staff, Justice Management Division, U.S. Department of Justice.
4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: American Citizens. Other: Federal Government. The information collection will be used by the Department to identify individuals

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

<sup>2</sup> The Commission also finds that imports subject to Commerce's affirmative critical circumstances determination are not likely to undermine seriously the remedial effect of the countervailing duty orders on certain new pneumatic off-the-road tires from India and Sri Lanka.

<sup>3</sup> Commissioner Dean A. Pinkert did not participate in these investigations.



requesting certain records under the Privacy Act. Without this form an individual cannot obtain the information requested.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 70,000 respondents will complete each form within approximately 30 minutes.

6. *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated total of 35,000 annual burden hours associated with this collection.

*If additional information is required contact:* Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405B, Washington, DC 20530.

Dated: February 23, 2017.

**Melody Braswell,**

*Department Clearance Officer for PRA, U.S. Department of Justice.*

[FR Doc. 2017-03852 Filed 2-27-17; 8:45 am]

**BILLING CODE 4410-02-P**

## NATIONAL SCIENCE FOUNDATION

### Sunshine Act Meetings; National Science Board

The National Science Board (NSB), pursuant to the National Science Foundation Act, as amended, (42 U.S.C. 1864(e) (2)), hereby gives notice that the NSB has updated its delegation of authority to the NSF Director to make awards. The current delegation of authority is presented in the following resolution, adopted by the NSB at its meeting on February 22, 2017.

#### Resolution NSB-2017-5

##### National Science Board

#### Delegation of Award-Approval Authority to the Director

*Resolved,* that the National Science Board (Board) adopts the delegation of award-approval authority to the National Science Foundation (NSF) Director as below:

(1) The Director of the National Science Foundation may make no award involving an anticipated average annual amount of the greater of either 1 percent or more of the awarding Directorate's or Office's prior year current plan or 0.1 percent or more of the prior year total NSF budget without the prior approval of the National Science Board.

(2) The Director may make no award from the Major Research Equipment and Facilities Construction (MREFC)

account without the prior approval of the Board.

(3) Except as provided in paragraphs (1) and (2) or by special resolution of the Board, the Board delegates to the Director authority to make any award within the authority of NSF.

(4) When the Board approves an award, the Director may subsequently amend the award to change the expiration date of the award and/or to commit additional sums, not to exceed the lesser of 10 million dollars or 20 percent of the amount specified in the Board resolution. In the case of procurements, when the Board approves or authorizes the Director to make an award and no amount is specified in the Board resolution, the Director may subsequently amend the award to change the expiration date of the award and/or to commit additional sums not to exceed the lesser of 10 million dollars or 20 percent of the contract ceiling award amount.

(5) The Director will continue to consult with the National Science Board on programs which represent a significant, long-term investment, particularly those which will be funded as an ongoing NSF-wide activity or which involve substantive policy, interagency, or international issues.

(6) This delegation supersedes and replaces the delegation of award-approval authority adopted by the Board in February 2011 (*NSB-11-2*).

Maria T. Zuber  
Chair

#### *Agency Contact:*

Ann Bushmiller, *abushmil@nsf.gov*,  
703-292-7000.

**Chris Blair,**

*Executive Assistant, National Science Board Office.*

[FR Doc. 2017-04011 Filed 2-24-17; 4:15 pm]

**BILLING CODE 7555-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2015-0091]

### Quality Group Classifications and Standards for Water-, Steam-, and Radioactive-Waste-Containing Components of Nuclear Power Plants

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Regulatory guide; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 5 to Regulatory Guide (RG) 1.26, "Quality Group Classifications and Standards for Water-, Steam-, and Radioactive-Waste-Containing Components of Nuclear

Power Plants." This guidance has been revised to update references to related NRC's guidance, to incorporate lessons learned from recent NRC reviews and regulatory activities, and to align the format and content of the guide with the current program guidance for RGs which was developed since Revision 4 of RG 1.26 was issued.

**ADDRESSES:** Please refer to Docket ID NRC-2015-0091 when contacting the NRC about the availability of information regarding this document. You may obtain publically-available information related to this document, using the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2015-0091. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; email: *Carol.Gallagher@nrc.gov*. For technical questions, contact the individuals 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 Document 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 is available in ADAMS) is provided the first time that it is mentioned in this document. Revision 5 of Regulatory Guide 1.26, and the regulatory analysis may be found in ADAMS under Accession Nos. ML16082A501 and ML14356A247, respectively.

- *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.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

#### **FOR FURTHER INFORMATION CONTACT:**

Tuan Le, Office of New Reactors, telephone: 301-415-2297, email: *Tuan.Le@nrc.gov*; or Stephen Burton, Office of Nuclear Regulatory Research, telephone: 301-415-7000, email: *Stephen.Burton@nrc.gov*. Both are staff members of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

**SUPPLEMENTARY INFORMATION:**

## I. Introduction

The NRC is issuing a revision to an existing guide in the NRC's "Regulatory Guide" series. This series was developed to describe and make available to the public information regarding methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, techniques that the staff uses in evaluating specific issues or postulated events, and data that the staff needs in its review of applications for permits and licenses.

Revision 5 of RG 1.26 was issued with a temporary identification as Draft Regulatory Guide, DG-1314. This guidance has been revised to update references to related NRC guidance, to incorporate lessons learned from recent NRC reviews and regulatory activities, and to align the format and content of the guide with the current program guidance for regulatory guides (RGs) which was developed since Revision 4 of RG 1.26 was issued.

## II. Additional Information

The DG-1314, was published in the **Federal Register** on April 16, 2015 (80 FR 20511), for a 60-day public comment period. The public comment period closed on June 15, 2015. No public comments were received on DG-1314.

## III. Congressional Review Act

This regulatory guide is a rule as defined in the Congressional Review Act (5 U.S.C. 801-808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

## IV. Backfitting and Issue Finality

Revision 5 of RG 1.26 describes a quality classification system related to specified national standards that may be used to determine quality standards acceptable to the NRC staff for satisfying General Design Criterion (GDC) 1, "Quality Standards and Records," as set forth in appendix A, "General Design Criteria for Nuclear Power Plants," to part 50 title 10 of the *Code of Federal Regulations* (10 CFR), "Domestic Licensing of Production and Utilization Facilities," for components containing water, steam, or radioactive material in light-water-cooled nuclear power plants. Issuance of this RG does not constitute backfitting as defined in 10 CFR 50.109 (the Backfit Rule) and is not otherwise inconsistent with the issue finality provisions in 10 CFR part 52. As discussed in the "Implementation" section of this RG, the NRC has no current intention to impose this RG on

holders of current operating licenses or combined licenses.

This RG may be applied to applications for operating licenses, combined licenses, early site permits, and certified design rules docketed by the NRC as of the date of issuance of the final regulatory guide, as well as future applications submitted after the issuance of the regulatory guide. Such action would not constitute backfitting as defined in the Backfit Rule or be otherwise inconsistent with the applicable issue finality provision in 10 CFR part 52, inasmuch as such applicants or potential applicants are not within the scope of entities protected by the Backfit Rule or the relevant issue finality provisions in part 52.

Dated at Rockville, Maryland, this 22nd day of February, 2017.

For the Nuclear Regulatory Commission.

**Harriet Karagiannis,**

*Acting Chief, Regulatory Guidance and Generic Issues Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

[FR Doc. 2017-03890 Filed 2-27-17; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2017-0058]

### Biweekly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Biweekly notice.

**SUMMARY:** Pursuant to Section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular biweekly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued, and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued, from January 31, 2017 to February 13, 2017. The last

biweekly notice was published on February 14, 2017.

**DATES:** Comments must be filed March 30, 2017. A request for a hearing must be filed May 1, 2017.

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

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2017-0058. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual or individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Cindy Bladey, Office of Administration, Mail Stop: OWFN-12-H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on obtaining information and submitting comments, see "Obtaining Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:**

Beverly Clayton, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-3475, email: [Beverly.Clayton@nrc.gov](mailto:Beverly.Clayton@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

### I. Obtaining Information and Submitting Comments

#### A. Obtaining Information

Please refer to Docket ID NRC-2017-0058, facility name, unit number(s), plant docket number, application date, and subject when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2017-0058.
- *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](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned 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.

#### B. Submitting Comments

Please include Docket ID NRC-2017-0058, facility name, unit number(s), plant docket number, application date, and subject in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC posts all comment submissions at <http://www.regulations.gov> as well as entering the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

## II. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Proposed No Significant Hazards Consideration Determination

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in § 50.92 of title 10 of the *Code of Federal Regulations* (10 CFR), this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period if circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. If the Commission takes action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. If the Commission makes a final no significant hazards consideration determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

#### A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any persons (petitioner) whose interest may be affected by this action may file a request for a hearing and petition for leave to intervene (petition) with respect to the action. Petitions shall be filed in accordance with the Commission's "Agency Rules of Practice and Procedure" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309. The NRC's regulations are accessible electronically from the NRC Library on the NRC's Web site at <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. Alternatively, a copy of the regulations is available at the NRC's Public Document Room, located at One White Flint North, Room O1-F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

As required by 10 CFR 2.309(d) the petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements for standing: (1) The name, address, and telephone number of the petitioner; (2) the nature of the petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or

order which may be entered in the proceeding on the petitioner's interest.

In accordance with 10 CFR 2.309(f), the petition must also set forth the specific contentions which the petitioner seeks to have litigated in the proceeding. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner must provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to the specific sources and documents on which the petitioner intends to rely to support its position on the issue. The petition must include sufficient information to show that a genuine dispute exists with the applicant or licensee on a material issue of law or fact. Contentions must be limited to matters within the scope of the proceeding. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to satisfy the requirements at 10 CFR 2.309(f) with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene. Parties have the opportunity to participate fully in the conduct of the hearing with respect to resolution of that party's admitted contentions, including the opportunity to present evidence, consistent with the NRC's regulations, policies, and procedures.

Petitions must be filed no later than 60 days from the date of publication of this notice. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii). The petition must be filed in accordance with the filing instructions in the "Electronic Submissions (E-Filing)" section of this document.

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to establish when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the

Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of the amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

A State, local governmental body, Federally-recognized Indian Tribe, or agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h)(1). The petition should state the nature and extent of the petitioner's interest in the proceeding. The petition should be submitted to the Commission by May 1, 2017. The petition must be filed in accordance with the filing instructions in the "Electronic Submissions (E-Filing)" section of this document, and should meet the requirements for petitions set forth in this section, except that under 10 CFR 2.309(h)(2) a State, local governmental body, or federally recognized Indian Tribe, or agency thereof does not need to address the standing requirements in 10 CFR 2.309(d) if the facility is located within its boundaries. Alternatively, a State, local governmental body, Federally-recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

If a hearing is granted, any person who is not a party to the proceeding and is not affiliated with or represented by a party may, at the discretion of the presiding officer, be permitted to make a limited appearance pursuant to the provisions of 10 CFR 2.315(a). A person making a limited appearance may make an oral or written statement of his or her position on the issues but may not otherwise participate in the proceeding. A limited appearance may be made at any session of the hearing or at any prehearing conference, subject to the limits and conditions as may be imposed by the presiding officer. Details regarding the opportunity to make a limited appearance will be provided by the presiding officer if such sessions are scheduled.

#### *B. Electronic Submissions (E-Filing)*

All documents filed in NRC adjudicatory proceedings, including a request for hearing and petition for leave to intervene (petition), any motion or other document filed in the proceeding prior to the submission of a

request for hearing or petition to intervene, and documents filed by interested governmental entities that request to participate under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007, as amended at 77 FR 46562, August 3, 2012). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Detailed guidance on making electronic submissions may be found in the Guidance for Electronic Submissions to the NRC and on the NRC Web site at <http://www.nrc.gov/site-help/e-submittals.html>. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at [hearing.docket@nrc.gov](mailto:hearing.docket@nrc.gov), or by telephone at 301-415-1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals/getting-started.html>. Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit adjudicatory documents. Submissions must be in Portable Document Format (PDF). Additional guidance on PDF submissions is available on the NRC's public Web site at <http://www.nrc.gov/site-help/electronic-sub-ref-mat.html>. A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice

confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed so that they can obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the "Contact Us" link located on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>, by email to [MSHD.Resource@nrc.gov](mailto:MSHD.Resource@nrc.gov), or by a toll-free call at 1-866-672-7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing adjudicatory documents in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's

electronic hearing docket which is available to the public at <https://adams.nrc.gov/ehd>, unless excluded pursuant to an order of the Commission or the presiding officer. If you do not have an NRC-issued digital ID certificate as described above, click cancel when the link requests certificates and you will be automatically directed to the NRC's electronic hearing dockets where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or personal phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. For example, in some instances, individuals provide home addresses in order to demonstrate proximity to a facility or site. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

For further details with respect to these license amendment applications, see the application for amendment which is available for public inspection in ADAMS and at the NRC's PDR. For additional direction on accessing information related to this document, see the "Obtaining Information and Submitting Comments" section of this document.

*Florida Power & Light Company, et al., Docket No. 50-335 and 50-389, St. Lucie Plant, Unit Nos. 1 and 2, St. Lucie County, Florida*

*Date of amendment request:* December 22, 2016. A publicly-available version is in ADAMS under Accession No. ML17006A007.

*Description of amendment request:* The amendments would relocate the Component Cyclic or Transient Limits Program requirements to the Administrative Controls sections of the Technical Specifications (TSs), and relocate the Component Cyclic or Transient Limits tables detailing the allowable limits from the respective TSs to licensee-controlled documents.

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or

consequences of an accident previously evaluated?

Response: No.

The relocation of Component Cyclic or Transient Limits Table 5.9-1 and Table 5.7-1 from the St. Lucie Unit 1 and Unit 2 TS[s], to the St. Lucie Unit 1 and Unit 2 UFSARs [Updated Final Safety Analysis Reports], and the relocation of the Component Cyclic or Transient Limits Program requirements within the St. Lucie Unit 1 and Unit 2 TS[s] are administrative changes in nature. The TS changes do not represent any physical change to plant systems, structures, or components, or to procedures established for plant operation. As such, the initial conditions associated with accidents previously evaluated and plant systems credited for mitigating the consequences of accidents previously evaluated remain unchanged.

Therefore, facility operation in accordance with the proposed license amendments would not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The relocation of Component Cyclic or Transient Limits tables from the St. Lucie Unit 1 and Unit 2 TS[s], to the St. Lucie Unit 1 and Unit 2 UFSARs, and the relocation of the Component Cyclic or Transient Limits Program requirements within the St. Lucie Unit 1 and Unit 2 TS[s] are administrative changes in nature. No physical change to plant systems, structures, or components, or the manner in which they are operated and maintained will result from the proposed license amendments.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The relocation of Component Cyclic or Transient Limits tables from the St. Lucie Unit 1 and Unit 2 TS[s], to the St. Lucie Unit 1 and Unit 2 UFSARs, and the relocation of the Component Cyclic or Transient Limits Program requirements within the St. Lucie Unit 1 and Unit 2 TS[s] are administrative changes in nature. As such, the proposed changes do not involve changes to any safety analyses assumptions, safety limits, or limiting safety system settings nor do they adversely impact plant operating margins or the reliability of equipment credited in safety analyses.

Therefore, operation of the facility in accordance with the proposed amendment will not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* William S. Blair, Managing Attorney—Nuclear, Florida Power & Light Company, 700 Universe Boulevard, MS LAW/JB, Juno Beach, FL 33408-0420.

*NRC Branch Chief:* Benjamin G. Beasley.

*Indiana Michigan Power Company (I&M), Docket Nos. 50-315 and 50-316, Donald C. Cook Nuclear Plant (CNP), Units 1 and 2, Berrien County, Michigan*

*Date of amendment request:* December 14, 2016. A publicly-available version is in ADAMS under Accession No. ML16351A198.

*Description of amendment request:* The proposed changes would revise the note regarding applicability of the limiting condition for operation (LCO) for CNP Technical Specification (TS) 3.9.3, "Containment Penetrations."

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The accident in question for this submittal is the FHA [fuel-handling accident]. The analysis for the FHA was recently reviewed and approved by the NRC for a license amendment request regarding use of alternative source term. The proposed amendment to TS 3.9.3 does not impact the assumed release pathway for the accident and has no effect on the probability of the occurrence of any accident previously evaluated. The proposed change does not alter any plant equipment or operating practices in such a manner that the probability of an accident previously evaluated is increased. The consequences of [an] FHA inside the containment building with open penetration flow paths is bounded by the current FHA analyses and administrative controls, so the probability of an accident is not affected by the status of the penetration flow paths.

Therefore, the probability or consequences of an accident previously evaluated will not be significantly increased.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

Allowing penetration flow paths to be open is not an initiator for any accident. The change impacts the containment requirements during refueling operations. The only accident which could result in significant releases of radioactivity during refueling is the FHA. The proposed change does not affect the design of containment, or alter plant operating practices such that it creates the possibility of a new or different

kind of accident from any accident previously evaluated. The proposed allowance to open any containment penetration under administrative controls during fuel movement will not adversely affect plant safety functions such that a new or different accident could be created. No other initiators or accident precursors are created by this change.

Therefore, the possibility of a new or different kind of accident not previously evaluated is not created.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

TS 3.9.3 closure requirements for containment penetrations ensure that the consequences of a postulated FHA inside containment during irradiated fuel handling activities are minimized. The LCO establishes containment closure requirements, which limit the potential escape paths for fission products by ensuring that there is at least one barrier to the release of radioactive material. The proposed change to allow any containment penetration flow path to be open during refueling operations under administrative controls does not significantly affect the expected dose consequences of [an] FHA because the limiting FHA does not credit containment building closure or filtration. The administrative controls provide assurance that closure of the applicable penetration flow paths will be accomplished and that the offsite dose consequences will be minimized in the event of [an] FHA inside the containment building.

Therefore, this proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* Robert B. Haemer, Senior Nuclear Counsel, One Cook Place, Bridgman, MI 49106.

*NRC Branch Chief:* David J. Wrona.

*South Carolina Electric & Gas Company and South Carolina Public Service Authority, Docket Nos. 52-027 and 52-028, Virgil C. Summer Nuclear Station Units 2 and 3, Fairfield County, South Carolina*

*Date of amendment request:* January 20, 2017. A publicly-available version is in ADAMS under Accession No. ML17020A097.

*Description of amendment request:* The requested amendment proposes to depart from Tier 2\* information in the Updated Final Safety Analysis Report to address the seismic Category and AP1000 equipment class of nonsafety-related instrumentation that interfaces with safety-related pressure boundaries.

*Basis for proposed no significant hazards consideration determination:*

As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes to nonsafety-related instrument classification methodology will allow nonsafety-related instrumentation connected to safety-related systems to be appropriately qualified to withstand a safe shutdown earthquake without adversely affecting a safety-related pressure boundary. The safe shutdown fire analysis is not affected, and the fire protection analysis results are not adversely affected. The proposed changes do not involve any accident, initiating event or component failure; thus, the probabilities of the accidents previously evaluated are not affected. The proposed change does not adversely affect compliance with the maximum allowable reactor coolant system operational leakage rates specified in the Technical Specifications, and radiological material release source terms are not affected; thus, the radiological releases in the accident analyses are not affected.

Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes to nonsafety-related instrument classification methodology will allow nonsafety-related instrumentation connected to safety-related systems to be appropriately qualified to withstand a safe shutdown earthquake without adversely affecting a safety-related pressure boundary. The proposed changes do not adversely affect any safety-related system, structure, or component. The nonsafety-related instrumentation provides information for nonsafety-related display and does not control any safety-related feature. Thus, the proposed changes do not introduce a new failure mode. The proposed changes to the nonsafety-related instrument classification methodology do not create a new fault or sequence of events that could result in a radioactive material release.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed changes to nonsafety-related instrument classification methodology will allow nonsafety-related instrumentation connected to safety-related systems to be appropriately qualified to withstand a safe shutdown earthquake without adversely

affecting a safety-related pressure boundary. The upgrade in the qualification of the sensing lines and associated instrument isolation valves does not affect the function of the safety-related systems to which they are connected. No safety analysis or design basis acceptance limit/criterion is challenged or exceeded by the proposed change, thus no margin of safety is reduced.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* Ms. Kathryn M. Sutton, Morgan, Lewis & Bockius, LLC, 1111 Pennsylvania Avenue NW., Washington, DC 20004-2514.

*NRC Branch Chief:* Jennifer Dixon-Herrity.

*Southern Nuclear Operating Company, Inc., Docket Nos. 52-025 and 52-026, Vogtle Electric Generating Plant Units 3 and 4, Burke County, Georgia*

*Date of amendment request:* December 16, 2016, as supplemented by letter dated January 12, 2017. A publicly-available version is in ADAMS under Accession Nos. ML16351A483 and ML17012A272, respectively.

*Description of amendment request:* The requested amendment proposes to depart from Tier 2\* information in the Updated Final Safety Analysis Report to address the seismic Category and AP1000 equipment class of nonsafety-related instrumentation that interfaces with safety-related pressure boundaries.

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes to nonsafety-related instrument classification methodology will allow nonsafety-related instrumentation connected to safety-related systems to be appropriately qualified to withstand a safe shutdown earthquake without adversely affecting a safety-related pressure boundary. The safe shutdown fire analysis is not affected, and the fire protection analysis results are not adversely affected. The proposed changes do not involve any accident, initiating event or component failure; thus, the probabilities of the accidents previously evaluated are not



affected. The proposed change does not adversely affect compliance with the maximum allowable reactor coolant system operational leakage rates specified in the Technical Specifications, and radiological material release source terms are not affected; thus, the radiological releases in the accident analyses are not affected.

Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes to nonsafety-related instrument classification methodology will allow nonsafety-related instrumentation connected to safety-related systems to be appropriately qualified to withstand a safe shutdown earthquake without adversely affecting a safety-related pressure boundary. The proposed changes do not adversely affect any safety-related system, structure, or component. The nonsafety-related instrumentation provides information for nonsafety-related display and does not control any safety-related feature. Thus, the proposed changes do not introduce a new failure mode. The proposed changes to the nonsafety-related instrument classification methodology do not create a new fault or sequence of events that could result in a radioactive material release.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed changes to nonsafety-related instrument classification methodology will allow nonsafety-related instrumentation connected to safety-related systems to be appropriately qualified to withstand a safe shutdown earthquake without adversely affecting a safety-related pressure boundary. The upgrade in the qualification of the sensing lines and associated instrument isolation valves does not affect the function of the safety-related systems to which they are connected. No safety analysis or design basis acceptance limit/criterion is challenged or exceeded by the proposed change, thus no margin of safety is reduced.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* Mr. M. Stanford Blanton, Balch & Bingham LLP, 1710 Sixth Avenue North Birmingham, AL 35203-2015.

*NRC Branch Chief:* Jennifer Dixon-Herrity.

*Southern Nuclear Operating Company, Inc., Docket Nos. 50-424 and 50-425, Vogtle Electric Generating Plant, Units 1 and 2, Burke County, Georgia; Docket Nos. 50-348 and 50-364, Joseph M. Farley Nuclear Plant, Units 1 and 2, Houston County, Alabama; Docket Nos. 50-321 and 50-366, Edwin I. Hatch Nuclear Plant, Units 1 and 2, Appling County, Georgia*

*Date of amendment request:* December 1, 2016. A publicly-available version is in ADAMS under Accession No. ML16340A005.

*Description of amendment request:* The amendments would modify the technical specifications requirements in Section 1.3 and Section 3.0 regarding Limiting Condition for Operation (LCO) and Surveillance Requirement (SR) usage. These changes are consistent with NRC-approved Technical Specifications Task Force (TSTF) Traveler TSTF-529, "Clarify Use and Application Rules."

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes to Section 1.3 and LCO 3.0.4 have no effect on the requirement for systems to be Operable and have no effect on the application of TS actions. The proposed change to SR 3.0.3 states that the allowance may only be used when there is a reasonable expectation the surveillance will be met when performed. Since the proposed change does not significantly affect system Operability, the proposed change will have no significant effect on the initiating events for accidents previously evaluated and will have no significant effect on the ability of the systems to mitigate accidents previously evaluated.

Therefore, it is concluded that this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed change to the TS usage rules does not affect the design or function of any plant systems. The proposed change does not change the Operability requirements for plant systems or the actions taken when plant systems are not operable.

Therefore, it is concluded that this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed changes involve a significant reduction in a margin of safety?

The proposed change clarifies the application of Section 1.3 and LCO 3.0.4 and does not result in changes in plant operation. SR 3.0.3 is revised to allow application of SR 3.0.3 when a SR has not been previously performed if there is a reasonable expectation that the SR will be met when performed. This expands the use of SR 3.0.3 while ensuring the affected system is capable of performing its safety function. As a result, plant safety is either improved or unaffected.

Therefore, it is concluded that this change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* Jennifer M. Buettner, Associate General Counsel of Operations and Nuclear, Southern Nuclear Operating Company, 40 Iverness Center Parkway, Birmingham, AL 35201.

*NRC Branch Chief:* Michael T. Markley.

*Southern Nuclear Operating Company, Inc., Docket Nos. 50-424 and 50-425, Vogtle Electric Generating Plant, Units 1 and 2, Burke County, Georgia*

*Date of amendment request:* November 15, 2016, as supplemented by letter dated January 13, 2017. Publicly-available versions are in ADAMS under Accession Nos. ML16320A207 and ML17013A603, respectively.

*Description of amendment request:* The amendments would modify the TS requirements to operate ventilation systems with charcoal filters from 10 hours to 15 minutes each month in accordance with TSTF-522, Revision 0, "Revise Ventilation System Surveillance Requirements to Operate for 10 hours per Month." The NRC approved TSTF-522, Revision 0, as a part of the consolidated line item improvement process on September 20, 2012 (77 FR 58421).

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change replaces an existing Surveillance Requirement to operate the Westinghouse CREFS [Control Room Emergency Filtration System] equipped with

electric heaters for a continuous 10 hour period at a frequency specified in the SFCP [Surveillance Frequency Control Program] with a requirement to operate the systems for 15 continuous minutes with heaters operating, if needed.

This system is not an accident initiator and therefore, these changes do not involve a significant increase in the probability of an accident. The proposed system and filter testing changes are consistent with current regulatory guidance for these systems and will continue to assure that these systems perform their design function which may include mitigating accidents. Thus the change does not involve a significant increase in the consequences of an accident.

Therefore, it is concluded that this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed change replaces an existing Surveillance Requirement to operate the Westinghouse CREFS system equipped with electric heaters for a continuous 10 hour period at a frequency specified in the SFCP with a requirement to operate the system for 15 continuous minutes with heaters operating, if needed.

The change proposed for these ventilation systems does not change any system operations or maintenance activities. Testing requirements will be revised and will continue to demonstrate that the Limiting Conditions for Operation are met and the system components are capable of performing their intended safety functions. The change does not create new failure modes or mechanisms and no new accident precursors are generated.

Therefore, it is concluded that this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

The proposed change replaces an existing Surveillance Requirement to operate the Westinghouse CREFS systems equipped with electric heaters for a continuous 10 hour period at a frequency specified in the SFCP with a requirement to operate the systems for 15 continuous minutes with heaters operating, if needed.

The design basis for the ventilation systems' heaters is to heat the incoming air which reduces the relative humidity. The heater testing change proposed will continue to demonstrate that the heaters are capable of heating the air and will perform their design function. The proposed change is consistent with regulatory guidance.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* Jennifer M. Buettner, Associate General Counsel,

Southern Nuclear Operating Company, 40 Iverness Center Parkway, Birmingham, AL 35242.

*NRC Branch Chief:* Michael T. Markley.

*Southern Nuclear Operating Company, Inc., Docket Nos. 50-424 and 50-425, Vogtle Electric Generating Plant, Units 1 and 2, Burke County, Georgia*

*Date of amendment request:* November 15, 2016. A publicly-available version is in ADAMS under Accession No. ML16320A214.

*Description of amendment request:* The amendments would modify the technical specifications (TS) by relocating references to specific American Society for Testing and Materials (ASTM) standards for fuel oil testing to licensee-controlled documents and adding alternate criteria to the "clear and bright" acceptance test for new fuel oil. These TS changes will be performed in accordance with technical specification task force (TSTF) traveler TSTF-374, Revision 0, "Diesel Fuel Oil Testing Program." The NRC approved TSTF-374, Revision 0, as a part of the consolidated line item improvement process on April 21, 2006 (71 FR 20735).

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes relocate the specific ASTM standard references from the Administrative Controls Section of TS to a licensee-controlled document. Requirements to perform testing in accordance with applicable ASTM standards are retained in the TS as are requirements to perform surveillances of both new and stored diesel fuel oil. Future changes to the licensee-controlled document will be evaluated pursuant to the requirements of 10 CFR 50.59, "Changes, tests and experiments," to ensure that such changes do not result in more than a minimal increase in the probability or consequences of an accident previously evaluated. In addition, the "clear and bright" test used to establish the acceptability of new fuel oil for use prior to addition to storage tanks has been expanded to recognize more rigorous testing of water and sediment content. Relocating the specific ASTM standard references from the TS to a licensee-controlled document and allowing a water and sediment content test to be performed to establish the acceptability of new fuel oil will not affect nor degrade the ability of the emergency diesel generators

(DGs) to perform their specified safety function. Fuel oil quality will continue to meet ASTM requirements.

The proposed changes do not adversely affect accident initiators or precursors nor alter the design assumptions, conditions, and configuration of the facility or the manner in which the plant is operated and maintained. The proposed changes do not adversely affect the ability of structures, systems, and components (SSCs) to perform their intended safety function to mitigate the consequences of an initiating event within the assumed acceptance limits. The proposed changes do not affect the source term, containment isolation, or radiological release assumptions used in evaluating the radiological consequences of any accident previously evaluated. Further, the proposed changes do not increase the types and amounts of radioactive effluent that may be released offsite, nor significantly increase individual or cumulative occupational/public radiation exposures.

Therefore, the changes do not involve a significant increase in the probability or consequences of any accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed changes relocate the specific ASTM standard references from the Administrative Controls Section of TS to a licensee-controlled document. In addition, the "clear and bright" test used to establish the acceptability of new fuel oil for use prior to addition to storage tanks has been expanded to allow a water and sediment content test to be performed to establish the acceptability of new fuel oil. The changes do not involve a physical alteration of the plant (*i.e.*, no new or different type of equipment will be installed) or a change in the methods governing normal plant operation. The requirements retained in the TS continue to require testing of the diesel fuel oil to ensure the proper functioning of the DGs.

Therefore, the changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed changes involve a significant reduction in a margin of safety?

The proposed changes relocate the specific ASTM standard references from the Administrative Controls Section of TS to a licensee-controlled document. Instituting the proposed changes will continue to ensure the use of applicable ASTM standards to evaluate the quality of both new and stored fuel oil designated for use in the emergency DGs. Changes to the licensee-controlled document are performed in accordance with the provisions of 10 CFR 50.59. This approach provides an effective level of regulatory control and ensures that diesel fuel oil testing is conducted such that there is no significant reduction in a margin of safety. The "clear and bright" test used to establish the acceptability of new fuel oil for use prior to addition to storage tanks has been expanded to allow a water and sediment content test to be performed to establish the acceptability of new fuel oil.



The margin of safety provided by the DGs is unaffected by the proposed changes since there continue to be TS requirements to ensure fuel oil is of the appropriate quality for emergency DG use. The proposed changes provide the flexibility needed to improve fuel oil sampling and analysis methodologies while maintaining sufficient controls to preserve the current margins of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* Jennifer M. Buettner, Associate General Counsel, Southern Nuclear Operating Company, 40 Iverness Center Parkway, Birmingham, AL 35242.

*NRC Branch Chief:* Michael T. Markley.

*Southern Nuclear Operating Company, Inc., Docket Nos. 50-424 and 50-425, Vogtle Electric Generating Plant, Units 1 and 2, Burke County, Georgia*

*Date of amendment request:* November 15, 2016. A publicly-available version is in ADAMS under Accession No. ML16320A219.

*Description of amendment request:* The amendments would add technical specifications (TS) Limiting Condition for Operation (LCO) 3.0.10 for unavailable barriers as described in TSTF-427, Revision 2, "Allowance for Non Technical Specification Barrier Degradation on Supported System OPERABILITY." The NRC approved TSTF-427, Revision 2, as a part of the consolidated line item improvement process on October 3, 2006 (71 FR 58444).

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

**Criterion 1—The Proposed Change Does Not Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated**

The proposed change allows a delay time for entering a supported system technical specification (TS) when the inoperability is due solely to an unavailable barrier if risk is assessed and managed. The postulated initiating events which may require a functional barrier are limited to those with low frequencies of occurrence, and the overall TS system safety function would still be available for the majority of anticipated challenges. Therefore, the probability of an accident previously evaluated is not significantly increased, if at all. The consequences of an accident while relying on the allowance provided by proposed LCO 3.0.9 are no different than the consequences of an accident while relying on the TS required actions in effect without the allowance provided by proposed LCO 3.0.9. Therefore, the consequences of an accident previously evaluated are not significantly affected by this change. The addition of a requirement to assess and manage the risk

introduced by this change will further minimize possible concerns.

Therefore, this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

**Criterion 2—The Proposed Change Does Not Create the Possibility of a New or Different Kind of Accident from any Previously Evaluated**

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed). Allowing delay times for entering supported system TS when inoperability is due solely to an unavailable barrier, if risk is assessed and managed, will not introduce new failure modes or effects and will not, in the absence of other unrelated failures, lead to an accident whose consequences exceed the consequences of accidents previously evaluated. The addition of a requirement to assess and manage the risk introduced by this change will further minimize possible concerns.

Thus, this change does not create the possibility of a new or different kind of accident from an accident previously evaluated.

**Criterion 3—The Proposed Change Does Not Involve a Significant Reduction in the Margin of Safety**

The proposed change allows a delay time for entering a supported system TS when the inoperability is due solely to an unavailable barrier, if risk is assessed and managed. The postulated initiating events which may require a functional barrier are limited to those with low frequencies of occurrence, and the overall TS system safety function would still be available for the majority of anticipated challenges. The risk impact of the proposed TS changes was assessed following the three-tiered approach recommended in RG [Regulatory Guide] 1.177. A bounding risk assessment was performed to justify the proposed TS changes. This application of LCO 3.0.9 is predicated upon the licensee's performance of a risk assessment and the management of plant risk. The net change to the margin of safety is insignificant as indicated by the anticipated low levels of associated risk (ICCDP [incremental conditional core damage probability] and ICLERP [incremental conditional large early release probability]) as shown in Table 1 of Section 3.1.1 in the Safety Evaluation.

Therefore, this change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* Jennifer M. Buettner, Associate General Counsel, Southern Nuclear Operating Company, 40 Iverness Center Parkway, Birmingham, AL 35242.

*NRC Branch Chief:* Michael T. Markley.

*Tennessee Valley Authority, Docket Nos. 50-390 and 50-391, Watts Bar Nuclear Plant (WBN), Units 1 and 2, Rhea County, Tennessee*

*Date of amendment request:* October 20, 2016. A publicly-available version is in ADAMS under Accession No. ML16294A551.

*Description of amendment request:* The amendments would revise the Technical Specifications related to the auxiliary building gas treatment system (ABGTS) to provide an action for when the auxiliary building secondary containment enclosure (ABSCE) boundary is degraded, and to allow the ABSCE boundary to be open intermittently under administrative controls without entering the associated ABGTS limiting condition for operation. The proposed changes are consistent with NUREG-1431, "Standard Technical Specifications Westinghouse Plants," Revision 4, dated April 2012 (ADAMS Accession No. ML12100A222).

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequence of an accident previously evaluated?

Response: No.

The proposed changes do not require physical changes to plant systems, structures, or components. The ABGTS is an accident mitigating feature. As such, ABGTS is not associated with a potential accident-initiating mechanism.

Therefore, the changes do not affect accident or transient initiation or consequences.

The proposed new condition for the ABGTS TS would permit a 24 hour period to restore an inoperable pressure boundary to operable status. The consequences of implementing the 24 hour completion time are reasonable based upon the low probability of a design basis accident occurring during this time period, and the availability of a functional ABGTS train to provide a filtered release to the environment (albeit with the potential for unfiltered leakage).

For cases where the ABSCE boundary is opened intermittently under administrative controls, appropriate compensatory measures would be required by the proposed TS to ensure the ABSCE boundary can be rapidly restored and the dose analysis assumptions can be supported. Based on the administrative controls required to rapidly restore an opened ABSCE boundary, the accident consequences do not cause an increase in dose above the applicable General Design Criteria, Standard Review Plan, or 10 CFR 100 limits. The plant operators will

continue to maintain the ability to mitigate a design basis event.

Therefore, the proposed change does not involve a significant increase in the probability or consequence of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes would not require any new or different accidents to be postulated and subsequently evaluated, since no changes are being made to the plant that would introduce any new accident causal mechanisms. This license amendment request does not impact any plant systems that are potential accident initiators; nor does it have any significantly adverse impact on any accident mitigating systems.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed changes do not alter the permanent plant design, including instrument setpoints, nor does it change the assumptions contained in the safety analyses. Margin of safety is related to the ability of the fission product barriers to perform their design functions during and following accident conditions. These barriers include the fuel cladding, the reactor coolant system, and the containment system. The performance of these barriers will not be significantly degraded by the proposed changes. The proposed changes would allow the ABSCE boundary to be degraded for a limited period of time (24 hours). However, the probability of a design basis event occurring during this time is low. Additionally, a functional ABGTS train will be available to provide a filtered release to the environment (albeit with the potential for unfiltered leakage). When the ABSCE boundary is open on an intermittent basis, as permitted by the changes proposed in this amendment request, administrative controls would be in place to ensure that the integrity of the pressure boundaries could be rapidly restored and the dose analysis assumptions can be supported. Therefore, it is expected that the plant and the operators would maintain the ability to mitigate design basis events and none of the fission product barriers would be affected by this change.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* Ms. Sherry A. Quirk, Executive Vice President and General Counsel, Tennessee Valley

Authority, 400 West Summit Hill Drive, 6A Tower West, Knoxville, TN 37902.

*NRC Branch Chief:* Benjamin G. Beasley.

*Tennessee Valley Authority, Docket Nos. 50-390 and 50-391, Watts Bar Nuclear Plant, Units 1 and 2, Rhea County, Tennessee*

*Date of amendment request:* October 17, 2016. A publicly-available version is in ADAMS under Accession No. ML16291A543.

*Description of amendment request:* The amendments would revise the Technical Specifications (TSs) to allow a one-time extension of the frequency for performing certain TS Surveillance Requirements (SRs) related to verifying the operability of alternating current electrical power sources.

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The requested action is a one-time extension to the performance interval of a limited number of TS surveillance requirements. The performance of these surveillances, or the extension of these surveillances, is not a precursor to an accident. Performing these surveillances or failing to perform these surveillances does not affect the probability of an accident. Therefore, the proposed delay in performance of the SRs in this amendment request does not increase the probability of an accident previously evaluated.

A delay in performing these surveillances does not result in a system being unable to perform its required function. In the case of this one-time extension request, the short period of additional time that the systems and components will be in service before the next performance of the surveillance will not affect the ability of those systems to operate as designed. Therefore, the systems required to mitigate accidents will remain capable of performing their required function. No new failure modes have been introduced because of this action and the consequences remain consistent with previously evaluated accidents. On this basis, the proposed delay in performance of the SRs in this amendment request does not involve a significant increase in the consequences of an accident.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed amendment does not involve a physical alteration of any system, structure, or component (SSC) or a change in the way any SSC is operated. The proposed amendment does not involve operation of any SSCs in a manner or configuration different from those previously recognized or evaluated. No new failure mechanisms will be introduced by the one-time SR extensions being requested.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed amendment is a one-time extension of the performance interval of a limited number of TS surveillance requirements. Extending these surveillance requirements does not involve a modification of any TS limiting conditions for operation. Extending these SRs does not involve a change to any limit on accident consequences specified in the license or regulations. Extending these SRs does not involve a change in how accidents are mitigated or a significant increase in the consequences of an accident. Extending these SRs does not involve a change in a methodology used to evaluate consequences of an accident. Extending these SRs does not involve a change in any operating procedure or process.

The instrumentation and components involved in this request have exhibited reliable operation based on current test results. The current testing includes power ascension testing and surveillance testing that either partially or fully exercised the components. Some components have been evaluated for extended testing intervals greater than 18 months but are set at WBN to an 18-month frequency.

Based on the limited additional period of time that the systems and components will be in service before the surveillances are next performed, as well as the operating experience that these surveillances are typically successful when performed, it is reasonable to conclude that the margins of safety associated with these SRs will not be affected by the requested extension.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* Sherry A. Quirk, Executive Vice President and General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, 6A West Tower, Knoxville, TN 37902.

*NRC Branch Chief:* Benjamin G. Beasley.

*TEX Operations Company LLC, Docket Nos. 50-445 and 50-446, Comanche Peak Nuclear Power Plant (CPNPP), Unit Nos. 1 and 2, Somervell County, Texas*

*Date of amendment request:* December 14, 2016. A publicly-available version is in ADAMS under Accession No. ML16351A200.

*Description of amendment request:* The amendments would revise the licensee's name from "TEX Operations Company LLC" to "Vistra Operations Company LLC" into the CPNPP Unit 1 Operating License (NPF-87), CPNPP Unit 2 Operating License (NPF-89), and the title page of the Environmental Protection Plan.

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed amendment changes a name of a licensee. The proposed name change is purely administrative. The functions of the licensee will not change. The proposed amendment does not alter the design, function, or operation of any plant equipment. As such, the accident and transient analyses contained in the facility updated final safety analysis reports will not be impacted.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed amendment changes a name of a licensee. The proposed name change is purely administrative. The functions of the licensee will not change. The proposed amendment does not alter the design, function, or operation of any plant equipment. As such, the accident and transient analyses contained in the facility updated final safety analysis reports will not be impacted.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Do the proposed changes involve a significant reduction in a margin of safety?

Response: No.

The proposed amendment changes a name of a licensee. The proposed name change is purely administrative. The functions of the licensee will not change. The proposed amendment does not alter the design, function, or operation of any plant equipment. As such, the accident and

transient analyses contained in the facility updated final safety analysis reports will not be impacted.

Therefore the proposed change does not involve a reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

*Attorney for licensee:* Timothy P. Matthews, Esq., Morgan, Lewis and Bockius, 1111 Pennsylvania Avenue NW., Washington, DC 20004.

*NRC Branch Chief:* Robert J. Pascarelli.

### III. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating license or combined license, as applicable, proposed no significant hazards consideration determination, and opportunity for a hearing in connection with these actions, was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items can be accessed as described in the "Obtaining Information and

Submitting Comments" section of this document.

*Dominion Nuclear Connecticut, Inc., Docket No. 50-336, Millstone Power Station, Unit No. 2 (MPS2), New London County, Connecticut*

*Date of amendment request:* December 14, 2016.

*Brief description of amendment:* The amendment revised the MPS2 Technical Specifications (TSs) to add a note to TS Surveillance Requirement (SR) 4.1.3.1.2, control element assembly (CEA) freedom of movement surveillance, such that CEA 39 may be excluded from the remaining quarterly performance of the SR in Cycle 24. The amendment allows the licensee to delay exercising CEA 39 until after repairs can be made during the next outage.

*Date of issuance:* February 7, 2017.

*Effective date:* As of the date of issuance and shall be implemented within 30 days of issuance.

*Amendment No.:* 333. A publicly-available version is in ADAMS under Accession No. ML17018A000; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

*Renewed Facility Operating License No. DPR-65:* Amendment revised the Renewed Facility Operating License and TSs.

*Date of initial notice in Federal Register:* January 3, 2017 (82 FR 157).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated February 7, 2017.

*No significant hazards consideration comments received:* No.

*Duke Energy Carolinas, LLC, Docket Nos. 50-413 and 50-414, Catawba Nuclear Station, Units 1 and 2, York County, South Carolina*

*Date of amendment request:* September 25, 2013, as supplemented by letters dated January 13, 2015; January 28, 2015; February 27, 2015; March 30, 2015; April 28, 2015; July 15, 2015; August 14, 2015; September 3, 2015; December 11, 2015; January 7, 2016; March 23, 2016; June 15, 2016; August 2, 2016; September 7, 2016 and January 27, 2017.

*Brief description of amendments:* The amendments revised the condition for the Fire Protection Program (FPP) in the Renewed Facility Operating Licenses such that the FPP is now based on the requirements of 10 CFR 50.48(c), "National Fire Protection Association Standard NFPA 805."

*Date of issuance:* February 8, 2017.

*Effective date:* As of the date of issuance and shall be implemented as

stated within the revised License Condition 2.C.(5).

*Amendment Nos.:* 287 (Unit 1) and 283 (Unit 2). A publicly-available version is in ADAMS under Accession No. ML16137A308; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

*Renewed Facility Operating License Nos. NPF-35 and NPF-52:* The amendments revised the Renewed Facility Operating Licenses.

*Date of initial notice in Federal Register:* February 4, 2014 (79 FR 6641). The supplemental letters dated January 13, 2015; January 28, 2015; February 27, 2015; March 30, 2015; April 28, 2015; July 15, 2015; August 14, 2015; September 3, 2015; December 11, 2015; January 7, 2016; March 23, 2016; June 15, 2016; August 2, 2016; September 7, 2016 and January 27, 2017, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated February 8, 2017.

*No significant hazards consideration comments received:* No.

*Duke Energy Progress, LLC, Docket No. 50-261, H. B. Robinson Steam Electric Plant, Unit No. 2, Darlington County, South Carolina*

*Date of amendment request:* September 16, 2013, as supplemented by letters dated November 24, and December 22, 2014; January 22, March 16, April 1, May 19, and July 31, 2015; March 16, May 25, July 25, and October 5, 2016.

*Brief description of amendment:* The amendment authorized the transition of the fire protection licensing basis, from 10 CFR 50.50.48(b) to 10 CFR 50.48(c), National Fire Protection Association (NFPA) 805, "Performance-Based Standard for Fire Protection for Light-water Reactor Electric Generating Plants," 2001 edition. The revised fire protection licensing basis complies with the requirements in 10 CFR 50.48(a), 10 CFR 50.48(c), the guidance in Regulatory Guide 1.205, Revision 1, "Risk-Informed Performance-Based Fire protection for Existing Light-water Nuclear Power Plants, and NFPA 805, and follows the applicable guidance in Nuclear Energy Institute 04-02, Revision 2.

*Date of issuance:* February 3, 2017.

*Effective date:* As of the date of issuance and shall be implemented as described in the transition license conditions.

*Amendment No.:* 249. A publicly-available version is in ADAMS under Accession No. ML16337A264; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

*Renewed Facility Operating License No. DPR-23:* Amendment revised the Renewed Facility Operating License and Technical Specifications.

*Date of initial notice in Federal Register:* December 26, 2013 (78 FR 78405). The supplemental letters dated November 24, and December 22, 2014; January 22, March 16, April 1, May 19, and July 31, 2015; March 16, May 25, July 25, and October 5, 2016, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated February 3, 2017.

*No significant hazards consideration comments received:* No.

*Energy Northwest, Docket No. 50-397, Columbia Generating Station, Benton County, Washington*

*Date of application for amendment:* March 3, 2016, as supplemented by letter dated January 19, 2017.

*Brief description of amendment:* The amendment revised the Technical Specification (TS) Surveillance Requirements for heaters in the Standby Gas Treatment and Control Room Emergency Filtration ventilation systems. The proposed amendment is consistent with NRC-approved Technical Specifications Task Force (TSTF) Traveler TSTF-522, Revision 0, "Revise Ventilation System Surveillance Requirements to Operate for 10 hours per Month," as published in the **Federal Register** on September 20, 2012 (77 FR 58421), with variations due to plant-specific nomenclature.

*Date of issuance:* January 31, 2017.

*Effective date:* As of its date of issuance and shall be implemented within 60 days from the date of issuance.

*Amendment No.:* 239. A publicly-available version is in ADAMS under Accession No. ML16357A646; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

*Renewed Facility Operating License No. NPF-21:* The amendment revised the Facility Operating License and TSs.

*Date of initial notice in Federal Register:* May 24, 2016 (81 FR 32805). The supplemental letter dated January 19, 2017, provided additional information that clarified the application, did not change the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated January 31, 2017.

*No significant hazards consideration comments received:* No.

*Exelon Generation Company, LLC, Docket No. 50-244, R. E. Ginna Nuclear Power Plant, Wayne County, New York*

*Date of amendment request:* February 4, 2016, as supplemented by letters dated April 14, June 28, and November 30, 2016.

*Brief description of amendment:* The amendment revised the Reactor Coolant System (RCS) Specific Activity definition and associated surveillance requirements in the R. E. Ginna Nuclear Power Plant Technical Specifications (TSs). The amendment replaced the current TS limit for RCS gross specific activity with a new limit for RCS noble gas specific activity. The changes are consistent with Technical Specification Task Force (TSTF) Improved Standard Technical Specifications Change Traveler, TSTF-490, Revision 0, "Deletion of E Bar Definition and Revision to RCS Specific Activity Tech Spec."

*Date of issuance:* February 9, 2017.

*Effective date:* As of the date of issuance and shall be implemented within 60 days of issuance.

*Amendment No.:* 123. A publicly-available version is in ADAMS under Accession No. ML16358A424; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

*Renewed Facility Operating License No. DPR-18:* Amendment revised the Renewed Facility Operating License and TSs.

*Date of initial notice in Federal Register:* March 29, 2016 (81 FR 17506).

The supplemental letters dated April 4, June 28, and November 30, 2016, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards

consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated February 9, 2017.

*No significant hazards consideration comments received:* No.

*Florida Power & Light Company, Docket Nos. 50–250 and 50–251, Turkey Point Nuclear Generating Unit Nos. 3 and 4, Miami-Dade County, Florida*

*Date of application for amendments:* April 4, 2016, as supplemented by letters dated September 1, November 10, and December 2, 2016.

*Brief description of amendments:* The amendments revised the Technical Specifications (TSs) for snubbers and added a new TS to the Administrative Controls section of the TSs describing the licensee's Snubber Testing Program. The amendments revised the snubber TS surveillance requirement (SR) by deleting specific requirements from the SR and replacing them with a requirement to demonstrate snubber operability in accordance with the licensee-controlled Snubber Testing Program. The amendments deleted a portion of the SR that requires inspections per another TS that is no longer applicable to snubbers. The amendments included additions to, deletions from, and conforming administrative changes to the TSs.

*Date of issuance:* February 9, 2017.

*Effective date:* As of the date of issuance and shall be implemented within 60 days of issuance.

*Amendment Nos.:* 272 and 267. A publicly-available version is in ADAMS under Accession No. ML17004A292; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

*Renewed Facility Operating License Nos. DPR–31 and DPR–41:* Amendments revised the Renewed Facility Operating Licenses and TSs.

*Date of initial notice in Federal Register:* July 5, 2016 (81 FR 43652). The supplement dated September 1, 2016, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration (NSHC) determination as published in the **Federal Register** (FR). The licensee's letter dated November 10, 2016, expanded the scope of its request as originally noticed; therefore, the NRC published another notice in the FR on December 6, 2016 (81 FR 87971), which replaced the original notice in its entirety. The licensee's letter dated

December 2, 2016, did not expand the scope of the application as renoticed and did not change the staff's NSHC determination that was published in the FR on December 6, 2016.

The Commission's related evaluation of the amendments is contained in a safety evaluation dated February 9, 2017.

*No significant hazards consideration comments received:* No.

*NextEra Energy Point Beach, LLC, Docket Nos. 50–266 and 50–301, Point Beach Nuclear Plant (PBNP), Units 1 and 2, Town of Two Creeks, Manitowoc County, Wisconsin*

*Date of amendment requests:* January 15, 2016, as supplemented by letters dated April 27, 2016 and July 27, 2016.

*Brief description of amendments:* The amendments eliminate technical specification (TS) 3.7.14, Primary Auxiliary Building Ventilation (VNPAB), for PBNP, Units 1 and 2. The amendments delete TS 3.7.14, VNPAB in its entirety on the basis that the VNPAB is not credited for accident mitigation and therefore does not meet the 10 CFR 50.36 criteria for inclusion in the TS.

*Date of issuance:* January 30, 2017.

*Effective date:* As of the date of issuance and shall be implemented within 90 days of issuance.

*Amendment Nos.:* 257 and 261. A publicly-available version is in ADAMS under Accession No. ML16349A080; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

*Renewed Facility Operating License Nos. DPR–24 and DPR–27:* Amendments revised the Renewed Facility Operating License and Technical Specifications.

*Date of initial notice in Federal Register:* April 26, 2016 (81 FR 24662). The supplemental letters dated April 27, 2016 and July 27, 2016, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated January 30, 2017.

*No significant hazards consideration comments received:* No.

*NextEra Energy Seabrook, LLC, Docket No. 50–443, Seabrook Station, Unit No. 1, Rockingham County, New Hampshire*

*Date of amendment request:* February 27, 2016, as supplemented by letters

dated October 27, 2016, and December 15, 2016.

*Description of amendment request:* The amendment revised the current emergency action level scheme to one based on Nuclear Energy Institute (NEI) guidance in NEI 99–01, Revision 6, "Development of Emergency Action Levels for Non-Passive Reactors," dated November 2012.

*Date of issuance:* February 10, 2017.

*Effective date:* As of the date of issuance and shall be implemented within 180 days of issuance.

*Amendment No.:* 152. A publicly-available version is in ADAMS under Accession No. ML16358A411; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

*Facility Operating License No. NPF–86:* Amendment revised the Facility Operating License.

*Date of initial notice in Federal Register:* May 24, 2016 (81 FR 32808). The supplemental letters dated October 27, 2016, and December 15, 2016, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated February 10, 2017.

*No significant hazards consideration comments received:* No.

*PSEG Nuclear LLC, Docket Nos. 50–354, 50–272 and 50–311, Hope Creek Generating Station (Hope Creek), and Salem Nuclear Generating Station (Salem), Unit Nos. 1 and 2, Salem County, New Jersey*

*Date of amendment request:* October 17, 2016, as supplemented by letter dated December 19, 2016.

*Brief description of amendments:* The amendments revised the technical specifications (TSs) by removing certain training program requirements. Specifically, the amendments removed TS requirements that are redundant to, or superseded by, the requirements contained in 10 CFR part 55 and 10 CFR 50.120.

*Date of issuance:* February 6, 2017.

*Effective date:* As of the date of issuance and shall be implemented within 60 days.

*Amendment Nos.:* 201 (Hope Creek), 317 (Salem, Unit No. 1), and 298 (Salem, Unit No. 2). A publicly-available version is in ADAMS under Accession No. ML17012A292; documents related to these amendments

are listed in the Safety Evaluation enclosed with the amendments.

*Renewed Facility Operating License Nos. NPF-57, DPR-70, and DPR-75:* The amendments revised the Renewed Facility Operating Licenses and the TSs.

*Date of initial notice in Federal Register:* November 22, 2016 (81 FR 83877). The supplemental letter dated December 19, 2016, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated February 6, 2017.

*No significant hazards consideration comments received:* No.

*Southern Nuclear Operating Company, Docket No. 52-025, Vogtle Electric Generating Plant (VEGP), Unit 3, Burke County, Georgia*

*Date of amendment request:* September 13, 2016.

*Description of amendment:* The amendment authorizes changes to the VEGP Units 3 and 4 Updated Final Safety Analysis Report in the form of departures from the incorporated plant specific Design Control Document Tier 2\* information. The departures change the provided minimum reinforcement area in the VEGP Unit 3 column line 7.3 wall from elevation 82'-6" to elevation 100'-0".

*Date of issuance:* January 30, 2017.

*Effective date:* As of the date of issuance and shall be implemented within 30 days of issuance.

*Amendment No.:* 68. A publicly-available version is in ADAMS under Accession No. ML16350A060; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

*Facility Combined Licenses No. NPF-91:* Amendment revised the Facility Combined License.

*Date of initial notice in Federal Register:* October 11, 2016 (81 FR 70175).

The Commission's related evaluation of the amendment is contained in the Safety Evaluation dated January 30, 2017.

*No significant hazards consideration comments received:* No.

*Southern Nuclear Operating Company, Docket Nos. 52-025 and 52-026, Vogtle Electric Generating Plant (VEGP), Units 3 and 4, Burke County, Georgia*

*Date of amendment request:* May 27, 2016.

*Description of amendment:* The amendment authorizes changes to the VEGP Units 3 and 4 Updated Final Safety Analysis Report in the form of departures from the incorporated plant specific Design Control Document Tier 2 information and involves changes to COL Appendix A Technical Specifications and associated Bases. The changes add reactor coolant density compensation to the reactor coolant flow input signal to the Reactor Trip System instrumentation for the low reactor coolant flow reactor trip function and add Technical Specification Surveillance Requirement 3.3.1.3 to the surveillances required for the Reactor Coolant Flow-Low reactor trip.

*Date of issuance:* January 13, 2017.

*Effective date:* As of the date of issuance and shall be implemented within 30 days of issuance.

*Amendment No.:* 65. A publicly-available version is in ADAMS under Accession No. ML16348A073; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

*Facility Combined Licenses Nos. NPF-91 and NPF-92:* Amendment revised the Facility Combined License.

*Date of initial notice in Federal Register:* August 2, 2016 (81 FR 50729). The Commission's related evaluation of the amendment is contained in the Safety Evaluation dated January 13, 2017.

*No significant hazards consideration comments received:* No.

Dated at Rockville, Maryland, this 17th day of February 2017.

For the Nuclear Regulatory Commission.

**Kathryn M. Brock,**

*Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. 2017-03806 Filed 2-27-17; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[NRC-2017-0059]**

### **Limit of Error Concepts and Principles of Calculation in Nuclear Materials Control**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Regulatory guide: withdrawal.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is withdrawing Regulatory Guide (RG) 5.18, "Limit of Error Concepts and Principles of Calculation in Nuclear Materials

Control." This RG is being withdrawn because the term "limit of error" is no longer used in the material control and accounting (MC&A) requirements in NRC's regulations, and therefore the RG 5.18 guidance is no longer needed. The MC&A requirements now include the term "standard error" in place of the term "limit of error." The "standard error" term is used in evaluating the significance of an inventory difference (ID). The NRC has issued guidance separately for the term "standard error."

**DATES:** The effective date of the withdrawal of RG 5.18 is February 28, 2017.

**ADDRESSES:** Please refer to Docket ID NRC-2017-0059 when contacting the NRC about the availability of information regarding this document. You may obtain publically-available information related to this document, using the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2017-0059. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individuals 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 Document 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](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document. The basis for the withdrawal of this guide is in ADAMS under Accession No. ML16244A672.

- *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.

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**FOR FURTHER INFORMATION CONTACT:**

Glenn Tuttle, Office of Nuclear Materials Safety and Safeguards, telephone: 301-415-7230, email: [Glenn.Tuttle@nrc.gov](mailto:Glenn.Tuttle@nrc.gov); and Harriet Karagiannis, Office of Nuclear



Regulatory Research, telephone: 301-415-2493, email: [Harriet.Karagiannis@nrc.gov](mailto:Harriet.Karagiannis@nrc.gov). Both are staff members of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

**SUPPLEMENTARY INFORMATION:** The NRC staff issued RG 5.18 in January 1974 to provide guidance on meeting the material control and accounting (MC&A) requirements in part 70 of title 10 the *Code of Federal Regulations* (10 CFR), "Domestic Licensing of Special Nuclear Material." Part 70 then contained MC&A requirements, including those in 10 CFR 70.51, "Material Balance, Inventory, and Records Requirements" that were established in 1973. Specifically, 10 CFR 70.51(a)(5) defined the term "Limit of error," and 10 CFR 70.51(e) required licensees to calculate statistical limits of error for any material unaccounted for as part of their MC&A procedures. Part 70 regulations no longer contain any MC&A requirements, and licensees are no longer required to calculate statistical limits of error for any material unaccounted for. In 1985, 10 CFR part 74, "Material Control and Accounting of Special Nuclear Material," was established, and in 2002, the 10 CFR 70.51 requirements were transferred to 10 CFR part 74 which now includes the current MC&A requirements. As part of the 2002 MC&A revisions, the term "limit of error" was replaced by the term "standard error," and licensees are now required to calculate the "inventory difference" (as defined in 10 CFR 74.4) rather than determining the amounts of material that are "unaccounted for." The "standard error" is used in evaluating the significance of an inventory difference (ID).

Guidance for calculating the "standard error" of the ID is found in NUREG-1065, "Acceptable Standard Format and Content for the Fundamental Nuclear Material Control (FNMC) Plan Required for Low-Enriched Uranium Facilities" (ADAMS Accession No. ML031340288), NUREG-1280, "Standard Format and Content Acceptance Criteria for the Material Control and Accounting (MC&A) Reform Amendment" (ADAMS Accession No. ML13253A308), and NUREG/CR-5734, "Recommendations to the NRC on Acceptable Standard Format and Content for the Fundamental Nuclear Material Control (FNMC) Plan Required for Low-Enriched Uranium Enrichment Facilities" (ADAMS Accession No. ML15120A354).

In addition, RG 5.18 endorsed the American National Standards Institute Standard N15.16-1974, "Limit of Error Concepts and Principles of Calculation

in Nuclear Materials Control," to provide guidance on the "limit of error" concept. However, this standard has been withdrawn from active status with no replacement.

The NRC is withdrawing RG 5.18 because it is no longer needed. Withdrawal of an RG means that the guide no longer provides useful information or has been superseded by other guidance, technological innovations, congressional actions, or other events. The withdrawal of RG 5.18 does not alter any prior or existing NRC licensing approval or the acceptability of licensee commitments to RG 5.18. Although RG 5.18 is withdrawn, current licensees may continue to use it, and withdrawal does not affect any existing licenses or agreements. However, 5.18 should not be used in future requests or applications for NRC licensing actions.

Dated at Rockville, Maryland, this 21st day of February 2017.

For the Nuclear Regulatory Commission.

**Harriet Karagiannis,**

*Acting Chief, Regulatory Guidance and Generic Issues Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

[FR Doc. 2017-03891 Filed 2-27-17; 8:45 am]

**BILLING CODE 7590-01-P**

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## PEACE CORPS

### Information Collection Request; Submission for OMB Review

**AGENCY:** Peace Corps.

**ACTION:** 60-day notice and request for comments.

**SUMMARY:** The Peace Corps will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval. The purpose of this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB. We are conducting this process in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

**DATES:** Submit comments on or before May 1, 2017.

**ADDRESSES:** Comments should be addressed to Denora Miller, FOIA/Privacy Act Officer. Denora Miller can be contacted by telephone at 202-692-1236 or email at [pcf@peacecorps.gov](mailto:pcf@peacecorps.gov). Email comments must be made in text and not in attachments.

**FOR FURTHER INFORMATION CONTACT:** Denora Miller at Peace Corps address above.

**SUPPLEMENTARY INFORMATION:**

*Title:* Confidential Reference Form.

*OMB Control Number:* 0420-0006.  
*Type of Request:* Revision.  
*Affected Public:* Individuals.  
*Respondents Obligation to Reply:* Voluntary.

*Respondents:* Individuals.  
*Burden to the Public:* Estimated burden (hours) of the collection of information:

- a. Number of respondents .. 18,000.
- b. Frequency of response ... one time.
- c. Completion time ..... 10 minutes.
- d. Annual burden hours .... 3,000 hours.

*General Description of Collection:* The reference form is a tool that the Peace Corps employs to ensure a standardized suitability review of applicants. The Assessment and Placement Officer requests the completion of the reference form and uses the information therein to assist in determining the suitability and competitiveness of the applicant.

*Request for Comment:* Peace Corps invites comments on whether the proposed collections of information are necessary for proper performance of the functions of the Peace Corps, including whether the information will have practical use; the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the information to be collected; and, ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

This notice is issued in Washington, DC, on February 23, 2017.

**Denora Miller,**

*FOIA/Privacy Act Officer, Management.*

[FR Doc. 2017-03862 Filed 2-27-17; 8:45 am]

**BILLING CODE 6051-01-P**

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## OFFICE OF PERSONNEL MANAGEMENT

### Comment Request for Review of a Revised Information Collection: Multi-State Plan Program External Review Case Intake Form, OPM Form 1840

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** The Office of Personnel Management (OPM) intends to submit to the Office of Management and Budget (OMB) a request for review of a revision of a currently approved collection, the Multi-State Plan Program External Review Intake Form, OPM Form 1840. Approval of the revised Multi-State Plan

Program External Review Intake Form is necessary to improve the collection of information from members of the Multi-State Plan Program who need to request the external review of a disputed adverse benefit decision.

**DATES:** Comments due by May 1, 2017.

**ADDRESSES:** Send or deliver comments to: Donna Lease Batdorf, Multi-State Plan Program National Healthcare Operations, Healthcare and Insurance, Office of Personnel Management, 1900 E Street NW., Room 3468, Washington, DC 20415.

**FOR FURTHER INFORMATION CONTACT:** FOR INFORMATION REGARDING ADMINISTRATIVE COORDINATION CONTACT: For copies of this proposal, contact C.C. “Corky” Conyers, Ph.D., C.I.O. P.R.A./Forms Officer at (202) 606-0125, or via email to [Charles.Conyers@opm.gov](mailto:Charles.Conyers@opm.gov). Please include a mailing address with your request.

**SUPPLEMENTARY INFORMATION:** As required by the Paperwork Reduction Act of 1995 (Pub. L. 104-13, May 22, 1995), as amended by the Clinger-Cohen Act (Pub. L. 104-106), OPM is soliciting comments for this collection. The previous collection (OMB No. 3206-0263) was published in the **Federal Register** on November 26, 2013 at 78 FR 70598. Comments are particularly invited on:

1. Whether this collection of information is necessary for the proper performance of functions of the Office of Personnel Management, and whether it will have practical utility;

2. Whether our estimate of the public burden of this collection is accurate, and based on valid assumptions and methodology; and

3. Ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of the appropriate technological collection techniques or other forms of information technology.

**Analysis**

*Agency:* Multi-State Plan Program, National Healthcare Operations, Healthcare and Insurance, Office of Personnel Management.

*Title:* External Review Intake Form.  
*OMB:* 3206-0263.

*Frequency:*

*Affected Public:* Individuals or Households.

*Number of Respondents:* 800.

*Estimated Time Per Respondent:* 60 minutes.

*Total Burden Hours:* 800 hours.

**Kathleen M. McGettigan,**

*Acting Director, U.S. Office of Personnel Management.*

[FR Doc. 2017-03869 Filed 2-27-17; 8:45 am]

**BILLING CODE 6325-64-P**

**OFFICE OF PERSONNEL MANAGEMENT**

**Excepted Service**

**AGENCY:** U.S. Office of Personnel Management (OPM).

**ACTION:** Notice.

**SUMMARY:** This notice identifies Schedule A, B, and C appointing authorities applicable to a single agency that were established or revoked from August 1, 2016 to August 31, 2016.

**FOR FURTHER INFORMATION CONTACT:** Senior Executive Resources Services, Senior Executive Service and Performance Management, Employee Services, 202-606-2246.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 CFR 213.103, Schedule A, B, and C appointing authorities available for use by all agencies are codified in the Code of Federal Regulations (CFR). Schedule A, B, and C appointing authorities not codified in the CFR, but the Office of Personnel Management (OPM) publishes a notice of agency-specific authorities established or revoked each month in the **Federal Register** at [www.gpo.gov/fdsys/](http://www.gpo.gov/fdsys/). OPM also publishes an annual notice of the consolidated listing of all Schedule A, B, and C appointing authorities, current as of June 30, in the **Federal Register**.

**Schedule A**

No schedule A authorities to report during August 2016.

**Schedule B**

No schedule B authorities to report during August 2016.

**Schedule C**

The following Schedule C appointing authorities were approved during August 2016.

Agency name	Organization name	Position title	Request No.	Effective date
Department of Agriculture .....	Office of the Under Secretary for Research, Education, and Economics.	Senior Advisor .....	DA160161	08/05/2016
Department of Commerce .....	Farm Service Agency .....	Special Assistant .....	DA160164	08/13/2016
	Office of Executive Secretariat .....	Associate Director, Office of the Executive Secretariat.	DC160184	08/04/2016
	Office of Scheduling and Advance	Senior Advisor .....	DC160185	08/04/2016
		Director of Scheduling and Special Advisor.	DC160196	08/17/2016
	Office of Business Liaison .....	Deputy Director .....	DC160186	08/04/2016
	Office of the Chief of Staff .....	Confidential Assistant .....	DC160190	08/04/2016
		Special Advisor .....	DC160191	08/05/2016
	Economic Development Administration.	Senior Advisor .....	DC160195	08/17/2016
Department of Defense .....	Office of the Assistant Secretary of Defense (International Security Affairs).	Special Assistant for Middle East Policy.	DD160165	08/01/2016
	Office of the Under Secretary of Defense (Policy).	Correspondence Assistant, Office of the Under Secretary of Defense for Policy.	DD170001	08/12/2016
		Special Assistant for Middle East Policy.	DD160176	08/25/2016
	Washington Headquarters Services.	Defense Fellow (5) .....	DD160170	08/16/2016
			DD160171	08/16/2016
			DD160179	08/29/2016
Office of the Secretary .....	Special Assistant .....	DD160181	08/29/2016	
		DD160185	08/29/2016	



Agency name	Organization name	Position title	Request No.	Effective date	
Department of the Air Force .....	Office of Assistant Secretary of the Air Force for Manpower and Reserve Affairs.	Special Assistant .....	DF160041	08/11/2016	
	Office of Assistant Secretary Air Force, Installations, Environment, and Energy.	Special Assistant .....	DF160044	08/23/2016	
Department of the Navy .....	Office Assistant Secretary of Navy (Energy, Installations and Environment).	Climate Change and Sustainability Project Manager.	DN160051	08/12/2016	
Department of Education .....	Office of the Secretary .....	Special Assistant .....	DB160125	08/31/2016	
Department of Energy .....	Office of Public Affairs .....	Principal Deputy Press Secretary ..	DE160146	08/05/2016	
		Press Secretary .....	DE160145	08/15/2016	
	Office of the Secretary .....	Special Assistant (2) .....	DE160150	08/17/2016	
		Special Assistant .....	DE160157	08/31/2016	
	Office of Assistant Secretary for Congressional and Intergovernmental Affairs.	Special Assistant .....	DE160152	08/29/2016	
Environmental Protection Agency ..	Office of Public Affairs .....	Strategic Communications Advisor	EP160051	08/15/2016	
		Director of Speechwriting .....	EP160052	08/15/2016	
		Director of Public Engagement .....	EP160054	08/15/2016	
General Services Administration ....	Office of Government Wide Policy	Senior Advisor .....	GS160029	08/17/2016	
	Department of Health and Human Services.	Office of the Assistant Secretary for Public Affairs.	Director of Speechwriting .....	DH160163	08/01/2016
Administration for Children and Families.		Senior Policy Advisor .....	DH160176	08/16/2016	
Office of the Secretary .....		Special Assistant .....	DH160178	08/16/2016	
Office of the Assistant Secretary for Legislation.		Special Assistant .....	DH160179	08/25/2016	
Office of Intergovernmental and External Affairs.		Special Advisor .....	DH160182	08/30/2016	
Department of Homeland Security		Office of the Assistant Secretary for Policy.	Special Assistant (2) .....	DM160294	08/17/2016
		Office of the Under Secretary for Science and Technology.	Counselor for Export Controls .....	DM160300	08/17/2016
	Press Assistant .....		DM160295	08/17/2016	
Department of Housing and Urban Development.	Office of Public Affairs .....	Deputy Assistant Secretary for Public Affairs.	DU160041	08/05/2016	
		Assistant Press Secretary .....	DU160046	08/25/2016	
		Special Assistant .....	DU160045	08/22/2016	
		Senior Policy Advisor .....	DU160044	08/31/2016	
Department of the Interior .....	Office of the Deputy Secretary .....	Advisor .....	DI160083	08/19/2016	
Department of Labor .....	Office of the Secretary .....	Special Assistant .....	DL160118	08/01/2016	
		Deputy Director, Scheduling and Advance.	DL160114	08/09/2016	
		Policy Advisor .....	DL160119	08/09/2016	
	Wage and Hour Division .....	Office of Congressional and Intergovernmental Affairs.	Senior Legislative Assistant .....	DL160122	08/15/2016
	Office of Public Affairs .....	Director of Speechwriting .....	DL160124	08/22/2016	
		Chief of Staff .....	DL160125	08/22/2016	
		Director of Congressional Affairs ...	NA160008	08/17/2016	
	National Endowment for the Arts ...	Office of Congressional Affairs .....	White House Liaison and Chairman's Strategic Scheduler.	NH170001	08/31/2016
			Legislative Analyst .....	BO160046	08/10/2016
	National Endowment for the Humanities.	Office of the Deputy Secretary .....	Confidential Assistant .....	BO160048	08/15/2016
Associate Director .....			WH160003	08/04/2016	
Office of Management and Budget	Office of Legislative Affairs .....				
President's Commission on White House Fellowships.	Office of the Director .....				
Department of State .....	Office of the United States Global Aids Coordinator.	Foreign Affairs Officer .....	DS160091	08/09/2016	
Department of Transportation .....	Office of the Secretary .....	Deputy White House Liaison .....	DT170017	08/19/2016	

The following Schedule C appointing authorities were revoked during August 2016.

Agency name	Organization name	Position title	Request No.	Vacate date
Department of Agriculture .....	Office of the Communications .....	Press Assistant .....	DA140013	08/05/2016
		Deputy Press Secretary .....	DA150148	08/26/2016

Agency name	Organization name	Position title	Request No.	Vacate date
Department of Commerce .....	Office of the Deputy Secretary .....	Deputy Chief Data Officer .....	DC150144	08/05/2016
	Office of the Chief of Staff .....	Director of Scheduling and Advance.	DC150033	08/06/2016
	Scheduler	DC160029 .....	08/20/2016	
	Office of Policy and Strategic Planning.	Special Assistant .....	DC160020	08/07/2016
Office of the Secretary of Defense	Office of the Director General of the United States and Foreign Commercial Service and Assistant Secretary for Global Markets.	Senior Advisor .....	DC140155	08/25/2016
		Special Assistant to Deputy Assistant Secretary of Defense Middle East.	DD150148	08/07/2016
Environmental Protection Agency	Office of Public Engagement and Environmental Education.	Deputy Director for Public Engagement and Public Health Based Initiatives.	EP150052	08/20/2016
Federal Trade Commission .....	Office of the Administrator .....	Deputy White House Liaison .....	EP160001	08/20/2016
	Office of the Chairman .....	Public Affairs Specialist .....	FT150009	08/20/2016
Department of Health and Human Services.	Administration for Community Living.	Special Assistant .....	DH140117	08/01/2016
	Office of the Assistant Secretary for Public Affairs.	Deputy Director of Speechwriting	DH150131	08/06/2016
	Office of Intergovernmental and External Affairs.	Enrollment Coordinator .....	DH150160	08/12/2016
	Office of the Assistant Secretary for Health.	Chief of Staff .....	DH150074	08/20/2016
Department of Homeland Security	Office of the Assistant Secretary for Intergovernmental Affairs.	Senior Policy Advisor .....	DH150192	08/22/2016
		Intergovernmental Affairs Coordinator.	DM150012	08/05/2016
	Office of the Assistant Secretary for Policy.	Special Assistant .....	DM160018	08/20/2016
Department of the Interior .....	Office of the Chief of Staff .....	Special Assistant .....	DM150229	08/20/2016
	Office of the Deputy Secretary .....	Senior Advance Officer .....	DM160223	08/31/2016
	Office of the Director .....	Advisor .....	DI160014	08/20/2016
President's Commission on White House Fellowships.		Special Assistant to the Director ..	WH150001	08/14/2016
United States International Trade Commission.	Office of the Vice Chairman .....	Confidential Assistant .....	TC160003	08/13/2016

**Authority:** 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR, 1954-1958 Comp., p. 218. U.S. Office of Personnel Management.

**Kathleen M. McGettigan,**  
*Acting Director.*

[FR Doc. 2017-03868 Filed 2-27-17; 8:45 am]

**BILLING CODE 6325-39-P**

**OFFICE OF PERSONNEL MANAGEMENT**

**Excepted Service**

**AGENCY:** U.S. Office of Personnel Management (OPM).

**ACTION:** Notice.

**SUMMARY:** This notice identifies Schedule A, B, and C appointing authorities applicable to a single agency

that were established or revoked from November 1, 2016 to November 30, 2016.

**FOR FURTHER INFORMATION CONTACT:** Senior Executive Resources Services, Senior Executive Service and Performance Management, Employee Services, 202-606-2246.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 CFR 213.103, Schedule A, B, and C appointing authorities available for use by all agencies are codified in the Code of Federal Regulations (CFR). Schedule A, B, and C appointing authorities applicable to a single agency are not codified in the CFR, but the Office of Personnel Management (OPM) publishes a notice of agency-specific

authorities established or revoked each month in the **Federal Register** at [www.gpo.gov/fdsys/](http://www.gpo.gov/fdsys/). OPM also publishes an annual notice of the consolidated listing of all Schedule A, B, and C appointing authorities, current as of June 30, in the **Federal Register**.

**Schedule A**

No schedule A authorities to report during November 2016.

**Schedule B**

No schedule B authorities to report during November 2016.

**Schedule C**

The following Schedule C appointing authorities were approved during November 2016.

Agency name	Organization name	Position title	Authorization No.	Effective date
Department of Commerce .....	Office of Executive Secretariat .....	Confidential Assistant .....	DC170009	11/09/2016
Council on Environmental Quality	Office of the Director .....	Special Assistant for Legislative Affairs.	EQ170001	11/08/2016

Agency name	Organization name	Position title	Authorization No.	Effective date
Department of Defense .....	Office of the Under Secretary of Defense (Acquisition, Technology, and Logistics).	Special Assistant for Energy, Installations and Environment.	DD170010	11/09/2016
		Special Assistant .....	DD170008	11/15/2016
		Defense Fellow (2) .....	DD170009 DD170017	11/15/2016 11/30/2016
Department of Energy .....	Office of the Assistant Secretary of Defense (Legislative Affairs). Washington Headquarters Services. Office of the Secretary of Defense Office of the Secretary .....	Deputy White House Liaison .....	DD170011	11/22/2016
		Deputy White House Liaison and Leadership Development Director.	DE170009 DE170011	11/22/2016 11/22/2016
		Advisor for Operations and Support.		
	Office of Management .....	Special Advisor for Strategic Planning.	DE170010	11/22/2016
Environmental Protection Agency General Services Administration ...	Office of the Administrator .....	Deputy White House Liaison .....	EP170006	11/17/2016
		Office of Congressional and Intergovernmental Affairs.	GS170002	11/09/2016
Department of Health and Human Services.	National Institutes of Health .....	Chief of Staff and Senior Policy Director.	DH170003	11/03/2016
		Administration for Children and Families.	DH170025	11/09/2016
Department of Homeland Security	Office of the Assistant Secretary for Policy.	Deputy Director for Asia-Pacific ...	DM170021	11/15/2016
Department of Housing and Urban Development.	Office of Field Policy and Management.	Special Assistant .....	DU170004	11/22/2016
Department of Labor .....	Wage and Hour Division .....	Deputy Chief of Staff .....	DL170004	11/01/2016
		Office of the Deputy Secretary .....	DL170005	11/08/2016
		Office of Public Affairs .....	DL170007	11/09/2016
Office of Management and Budget	Office of the Director .....	Press Secretary .....	BO170003	11/02/2016
		Senior Advisor .....	BO170005	11/29/2016
		Special Assistant .....	DS170005	11/21/2016
Department of State .....	Office of the Secretary .....	Senior Advisor .....	DT170022	11/22/2016
Department of Transportation .....	Immediate Office of the Administrator.	Special Assistant .....		
Department of the Treasury .....	Department of the Treasury .....	Special Assistant (2) .....	DY170012 DY170017	11/15/2016 11/22/2016
		Senior Advisor (2) .....	DY170013 DY170020	11/15/2016 11/22/2016
		Confidential Assistant .....	DY170015	11/21/2016
		Senior Advisor for Housing .....	DY170016	11/22/2016
		Associate Director (2) .....	DY170018 DY170019	11/22/2016 11/22/2016

The following Schedule C appointing authorities were revoked during November 2016.

Agency name	Organization name	Position title	Request No.	Date vacated	
Department of Agriculture .....	Farm Service Agency .....	State Executive Director—Hawaii	DA130171	11/30/2016	
Department of Commerce .....	Office of Executive Secretariat .....	Deputy Director .....	DC150163	11/12/2016	
		Special Advisor to the Director .....	DC160024	11/12/2016	
		Senior Policy Advisor .....	DC150147	11/17/2016	
Department of Education .....	Office of Policy and Strategic Planning.	Director of Policy .....	DB160012	11/18/2016	
		Office of Career Technical and Adult Education.			
		Office of Communications and Outreach.	Special Assistant .....	DB140095	11/18/2016
		Office of the Secretary .....	Director of Strategic Initiatives .....	DB160075	11/20/2016
	Office of the Under Secretary .....	Executive Director of the White House Initiative on American Indian and Alaska Native Education.	DB120066	11/25/2016	
Department of Health and Human Services.	Office of the Assistant Secretary for Public Affairs.	Senior Communications Director ..	DH160034	11/26/2016	
Department of Housing and Urban Development.	Office of Public and Indian Housing.	Special Policy Advisor .....	DU150043	11/12/2016	
Department of the Interior .....	Bureau of Reclamation .....	Special Assistant .....	DI160073	11/09/2016	
Department of Justice .....	Office of Public Affairs .....	Press Assistant .....	DJ140126	11/18/2016	

Agency name	Organization name	Position title	Request No.	Date vacated
Department of Labor .....	Office of Congressional and Inter-governmental Affairs.	Legislative Officer .....	DL150067	11/05/2016
Small Business Administration .....	Office of the Administrator .....	Idea Lab Director .....	SB150043	11/12/2016

**Authority:** 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR, 1954–1958 Comp., p. 218.

U.S. Office of Personnel Management.

**Kathleen M. McGettigan,**

*Acting Director.*

[FR Doc. 2017–03870 Filed 2–27–17; 8:45 am]

**BILLING CODE 6325–39–P**

## PRESIDIO TRUST

### Notice of Public Meeting

**AGENCY:** The Presidio Trust.

**ACTION:** Notice of public meeting.

**SUMMARY:** In accordance with § 103(c)(6) of the Presidio Trust Act, 16 U.S.C. 460bb appendix, and in accordance with the Presidio Trust’s bylaws, notice is hereby given that a public meeting of the Presidio Trust Board of Directors will be held commencing 6:00 p.m. on Thursday, March 23, 2017, at the Officers’ Club, 50 Moraga Avenue, Presidio of San Francisco, California. The Presidio Trust was created by Congress in 1996 to manage approximately eighty percent of the former U.S. Army base known as the Presidio, in San Francisco, California, as a national site.

The purposes of this meeting are to take action on the minutes of previous Board meetings; to provide the Chairperson’s report; to receive reports from Board members; to provide the Chief Executive Officer’s report; to discuss the Presidio Trust’s proposed goals for the next five years and to gather public input on those priorities and ways to achieve them; to receive a recommendation from the Presidio Institute Advisory Council on the use of Fort Scott; and to receive public comment.

Individuals requiring special accommodation at this meeting, such as needing a sign language interpreter, should contact Mollie Matull at 415.561.5300 prior to March 16, 2017.

**DATES AND TIME:** The meeting will begin at 6:00 p.m. on Thursday, March 23, 2017.

**ADDRESSES:** The meeting will be held at the Officers’ Club, 50 Moraga Avenue, Presidio of San Francisco.

**FOR FURTHER INFORMATION CONTACT:**

Nancy Koch, General Counsel, the Presidio Trust, 103 Montgomery Street, P.O. Box 29052, San Francisco,

California 94129–0052, Telephone: 415.561.5300.

Dated: February 22, 2017.

**Nancy J. Koch,**

*General Counsel.*

[FR Doc. 2017–03854 Filed 2–27–17; 8:45 am]

**BILLING CODE 4310–4R–P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80088; File No. SR–NASDAQ–2017–017]

### Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Exchange’s Port-Related Fees at Rules 7015 and 7016(b) To Eliminate Prorated Billing

February 22, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),<sup>1</sup> and Rule 19b–4 thereunder,<sup>2</sup> notice is hereby given that on February 9, 2017, The NASDAQ Stock Market LLC (“Nasdaq” 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 the Exchange’s port-related fees at Rules 7015 and 7016(b) to eliminate prorated billing.

The text of the proposed rule change is available on the Exchange’s Web site at <http://nasdaq.cchwallstreet.com>, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b–4.

#### 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 purpose of the proposed rule change<sup>3</sup> is to harmonize the billing practices for subscription to Nasdaq ports and other services provided under Rules 7015<sup>4</sup> and 7016(b)<sup>5</sup> with those of the Nasdaq’s Options Market (“NOM”) by no longer applying a prorated fee for subscriptions that are effective other than the first of any given month.<sup>6</sup> The Exchange does not prorate NOM connectivity subscriptions; thus, Options Participants<sup>7</sup> are assessed a full month’s fee for a connectivity subscription if they direct the Exchange to make the subscribed connectivity live on any day of the month, including the last day thereof. The Exchange notes that the NASDAQ PHLX does not prorate port connectivity under both [sic] its equity and options rules.<sup>8</sup>

<sup>3</sup> The Exchange initially filed the proposed pricing changes on February 1, 2017 (SR–NASDAQ–2017–009). On February 9, 2017, the Exchange withdrew that filing and submitted this filing.

<sup>4</sup> Rule 7015 is titled “Ports and other Services” and provides the options for connecting to the Nasdaq equity market together with the fees associated with such connectivity.

<sup>5</sup> Rule 7016(b) concerns the fees assessed for Pre-trade Risk Management service ports. Pre-trade Risk Management provides Members with the ability to set a wide range of parameters for orders to facilitate pre-trade protection for FIX, Rash, OUCH and FLITE ports.

<sup>6</sup> See NOM Rules Chapter XV, Section 3(b).

<sup>7</sup> As defined by NOM Rules Chapter I, Section 1(a)(40).

<sup>8</sup> See Securities Exchange Act Release No. 78665 (August 24, 2016), 81 FR 59693 (August 30, 2016) (SR–PHLX–2016–85) (eliminating prorated billing).

Currently, connectivity on Nasdaq's equity market under Rules 7015 and 7016(b) is prorated based on the day that it is activated, with the Nasdaq Member<sup>9</sup> only fee liable for the remaining days of the partial month. The Exchange has found that prorating billing has resulted in complexity and increased costs associated with the billing process. As a consequence, the Exchange is harmonizing the billing process with that of the Exchange's Options market and is not permitting prorated billing effective February 1, 2017.

## 2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,<sup>10</sup> in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,<sup>11</sup> in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes that elimination of prorated fees under Rules 7015 and 7016(b) is reasonable because it will reduce complexity and costs associated with the billing process, and will harmonize it with the process applied to Options Participants. As noted above, Members are currently able to choose when they want a new connectivity subscription to become effective and thus make the determination of when they wish to become fee liable. Members will continue to choose when they become fee liable under the proposed change, but now the Exchange will assess the full month's fee regardless of when the port is subscribed. Thus, Members must weigh whether subscription to a service covered by the rules for less than a full month is worth the full monthly fee.

The Exchange believes that elimination of prorated fees under Rules 7015 and 7016(b) is an equitable allocation and is not unfairly discriminatory because it will apply to all new subscribers to the port-related services under Rules 7015 and 7016(b), who are free to choose the date on which their subscription becomes active and thus fee liable. Moreover, the Exchange believes the proposed change is an equitable allocation and is not unfairly discriminatory because it will

harmonize the billing process with that of NOM. Thus, the Exchange will apply the same process to both its Options Participants and Equities Members.

## 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. In terms of inter-market competition, 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 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 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.

In this instance, although eliminating prorated fees for subscriptions under the rules may result in an increase in fees for new subscriptions to the extent a Member determines to subscribe to a service under Rules 7015 or 7016(b) on a day other than the first day of a given month, the Exchange notes that it is doing so to both simplify the process and harmonize it with the process applied to the Exchange's Options Participants. Moreover, Members may choose the day on which such services become effective and may therefore choose the first day of a month, which would result in no fee increase. Last, the proposed change does not impose a burden on competition because the Exchange's services are completely voluntary and subject to extensive competition both from other exchanges and from off-exchange venues. In sum, if the changes proposed herein are unattractive to market participants, it is likely that the Exchange will lose market share as a result. Accordingly, the Exchange does not believe that the proposed changes will impair the ability of members 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 either solicited or 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)(ii) of the Act.<sup>12</sup>

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, 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](mailto:rule-comments@sec.gov). Please include File Number SR-NASDAQ-2017-017 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-NASDAQ-2017-017. 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

as applied to PSX ports under Access Services Fees).

<sup>9</sup> As defined by Rule 0120(i).

<sup>10</sup> 15 U.S.C. 78f(b).

<sup>11</sup> 15 U.S.C. 78f(b)(4) and (5).

<sup>12</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

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-NASDAQ-2017-017 and should be submitted on or before March 21, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>13</sup>

**Robert W. Errett,**  
*Deputy Secretary.*

[FR Doc. 2017-03846 Filed 2-27-17; 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 a closed meeting on Thursday, March 2, 2017 at 11 a.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.

Acting Chairman 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;  
Resolution of litigation claims; 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: February 23, 2017.

**Brent J. Fields,**  
*Secretary.*

[FR Doc. 2017-03928 Filed 2-24-17; 11:15 am]

**BILLING CODE 8011-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-80090; File No. SR-ISE-2017-12]

### Self-Regulatory Organizations; International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Rule 715 and Rule 721

February 22, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on February 13, 2017, the International Securities Exchange, LLC ("ISE" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I and II 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 Rule 715 (Types of Orders) and Rule 721 (Crossing Orders) to codify its Qualified Contingent Cross ("QCC") with Stock Order functionality.

The text of the proposed rule change is available on the Exchange's Web site at [www.ise.com](http://www.ise.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 purpose of the proposed rule change is to codify functionality currently offered to members—*i.e.*, QCC with Stock Orders. The QCC with Stock Order is a piece of functionality that facilitates the execution of stock component of qualified contingent trades. In particular, a QCC with Stock Order is a QCC Order entered with a stock component to be communicated to a designated broker-dealer for execution.<sup>3</sup> QCC with Stock Orders assist members in maintaining compliance with Exchange rules regarding the execution of the stock component of qualified contingent trades, and help maintain an audit trail for surveillance of members for compliance with such rules.

Currently, although the Exchange has rules on QCC Orders, those rules do not specify how the stock component of such transactions is to be executed. In particular, those rules do not describe how this process may be facilitated by the Exchange electronically communicating the stock component to a designated broker-dealer for execution on the behalf of the member. The proposed rule change will increase the transparency of this process to the benefit of members and other market participants that execute QCC Orders on the Exchange, including those that use the QCC with Stock Order functionality described in this filing.

A QCC Order is comprised of an originating order to buy or sell at least 1000 contracts that is identified as being part of a qualified contingent trade,<sup>4</sup>

<sup>3</sup> See Proposed Rule 715(t).

<sup>4</sup> See Rule 715(j). A "qualified contingent trade" is a transaction consisting of two or more component orders, executed as agent or principal, where: (a) At least one component is an NMS Stock, as defined in Rule 600 of Regulation NMS under the

<sup>13</sup> 17 CFR 200.30-3(a)(12).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

coupled with a contra-side order or orders totaling an equal number of contracts. QCC Orders are automatically executed upon entry provided that the execution (i) is not at the same price as a Priority Customer Order on the Exchange's limit order book and (ii) is at or between the national best bid or offer ("NBBO").<sup>5</sup> QCC Orders are automatically canceled if they cannot be executed, and may only be entered in the regular trading increments applicable to the options class.<sup>6</sup>

Since QCC Orders represent one component of a qualified contingent trade, each QCC Order must be paired with a stock transaction. When a member enters a QCC Order, the member is responsible for executing the associated stock component of the qualified contingent trade within a reasonable period of time after the QCC Order is executed. The Exchange conducts surveillance of members to ensure that members execute the stock component of a qualified contingent trade at or near the same time as the options component. While the Exchange does not specify how the member should go about executing the stock component of the trade, this process is often manual and is therefore a compliance risk for members if they do not execute the stock component within a reasonable time period.

Thus, the Exchange also offers QCC with Stock Orders that communicate the stock component of a qualified contingent trade to a broker-dealer for execution in connection with the execution of a QCC Order on the Exchange. This functionality reduces the compliance burden on members by providing an automated means of executing the stock component of a qualified contingent trade, and also provides benefits for the Exchange's surveillance by providing an audit trail for the execution of the stock component. QCC with Stock Orders can

Exchange Act; (b) all components are effected with a product or price contingency that either has been agreed to by all the respective counterparties or arranged for by a broker-dealer as principal or agent; (c) the execution of one component is contingent upon the execution of all other components at or near the same time; (d) the specific relationship between the component orders (e.g., the spread between the prices of the component orders) is determined by the time the contingent order is placed; (e) the component orders bear a derivative relationship to one another, represent different classes of shares of the same issuer, or involve the securities of participants in mergers or with intentions to merge that have been announced or cancelled; and (f) the transaction is fully hedged (without regard to any prior existing position) as a result of other components of the contingent trade. See Supplementary Material .01 to Rule 715.

<sup>5</sup> See Rule 721(b).

<sup>6</sup> See Rule 721(b)(1), (2).

be entered by members through the Exchange's front-end order and execution management system ("PrecISE"), or through the member's Financial Information eXchange ("FIX") connection to the Exchange.

QCC with Stock Orders are available to members on a voluntary basis. Members that enter QCC with Stock Orders must enter into a brokerage agreement with one or more broker-dealers designated by the Exchange.<sup>7</sup> Currently, three broker-dealers have established connectivity for executing the stock component of QCC with Stock Orders. The member must designate a specific broker-dealer on each order if the member has entered into an agreement with more than one.<sup>8</sup> The Exchange does not have any financial arrangement with the designated broker-dealers with respect to communicating stock orders to them.<sup>9</sup> While the Exchange does not charge members a fee for the execution of the stock component of a QCC with Stock Order,<sup>10</sup> each member would be responsible for whatever fees or other charges are imposed by their designated broker-dealer.<sup>11</sup>

Members can enter QCC with Stock Orders with separate prices for the stock and options components, or with a net price for both.<sup>12</sup> QCC Orders may not be executable on entry if priced at the same price as a Priority Customer Order, or at a price that is outside of the NBBO. The stock component of a qualified contingent trade, however, is permitted to trade through the stock NBBO pursuant to an exemption granted by the Commission from the order protection requirements of Rule 611(a) of Regulation NMS.<sup>13</sup> Net priced QCC with

<sup>7</sup> See Proposed Supplementary Material .02 to Rule 721.

<sup>8</sup> *Id.* The Exchange does not have any role with respect to determining where to route the stock component of a QCC with Stock Order if the member has entered into an agreement with more than one broker-dealer.

<sup>9</sup> *Id.* The Exchange also represents that the designated broker-dealers that execute the stock component of QCC with Stock Orders do not receive other special benefits related to trading on the Exchange.

<sup>10</sup> Members that enter their QCC with Stock Orders through PrecISE are charged a fee for the use of the front end terminal but are not charged transaction fees for the execution of the stock component of the trade.

<sup>11</sup> These fees are billed directly by the member's designated broker-dealer.

<sup>12</sup> See Proposed Supplementary Material .01 Rule 721.

<sup>13</sup> See Securities Exchange Act Release Nos. 54389 (August 31, 2006), 71 FR 52829 (September 7, 2006) (Order Granting an Exemption for Qualified Contingent Trades From Rule 611(a) of Regulation NMS Under the Securities Exchange Act of 1934); 57620 (April 4, 2008), 73 FR 19271 (April 9, 2008) (Order Modifying the Exemption for Qualified Contingent Trades from Rule 611(a) of

Stock Orders reduce the chance that members miss the market since the Exchange will calculate a price for the stock and options components that honors the net price of the package and current market prices, if possible. At the same time, the Exchange permits members to submit QCC with Stock Orders with separate stock and options prices for members that want specific prices for each individual component.

When a member enters a QCC with Stock Order, a QCC Order is entered on the Exchange.<sup>14</sup> That QCC Order is automatically executed upon entry provided that the conditions of Rule 721(b) are met. If the QCC Order is executed, the Exchange will automatically communicate the stock component to the member's designated broker-dealer for execution.<sup>15</sup> Although QCC Orders are eligible for automatic execution, it is possible that the QCC Order may not be executable based on market prices at the time the order is entered. If the QCC Order is not capable of being executed, the entire QCC with Stock Order, including both the stock and options components, is cancelled.<sup>16</sup> This prevents members from executing the stock component of a qualified contingent trade where the options component has not been successfully executed.

Furthermore, it is possible that the member will receive an execution for the QCC Order but not the stock component communicated to the broker-dealer. Once the stock component is communicated to the member's designated broker-dealer for execution, the broker-dealer is responsible for determining whether the stock component may be executed in accordance with all of the rules applicable to execution of such orders. Members that execute the options component of a qualified contingent trade entered as a QCC with Stock Order remain responsible for the execution of the stock component if they do not receive an execution from their designated broker-dealer.<sup>17</sup> In such cases, the Exchange will inform the member that the stock component of the trade has not been executed, and that they must find an alternative means of executing the stock component. The Exchange conducts surveillance to ensure that members execute the stock component of their qualified contingent trades; this surveillance also extends to

Regulation NMS Under the Securities Exchange Act of 1934).

<sup>14</sup> See Proposed Rule 721(c)(1).

<sup>15</sup> See Proposed Rule 721(c)(2).

<sup>16</sup> See Proposed Rule 721(c)(3).

<sup>17</sup> See Proposed Supplementary Material .03 to Rule 721.

QCC with Stock Orders where the options component is successfully executed but the stock component is not.

Example 1:

Stock NBBO: \$100 × \$101

Option NBBO: \$1 × \$2

Member submits a QCC with Stock Order buying 1,000 puts and 100,000 shares of stock with a net price of \$101.50.

QCC Order is entered on the Exchange and executed at a price of \$1.50.

Stock component is routed to member's designed broker-dealer at a price of \$100.

The stock component is executed successfully, or the member remains responsible for executing the stock component elsewhere.

Example 2:

Stock NBBO: \$100 × \$101

Option NBBO: \$1 × \$2

Member submits a QCC with Stock Order buying 1,000 puts at \$1.99 and 100,000 shares of stock at \$100.

QCC Order is entered on the Exchange and executed at a price of \$1.99.

Stock component is routed to the member's designed broker-dealer at a price of \$100.

The stock component is executed successfully, or the member remains responsible for executing the stock component elsewhere.

Example 3:

Stock NBBO: \$100 × \$101

ABBO: \$1.00 × \$1.05

Exchange BBO: \$1.00 (Priority

Customer) × 1.01 (Priority Customer)

Member submits a QCC with Stock Order buying 1,000 puts at \$1.01 and 100,000 shares of stock at \$100.

QCC Order is entered on the Exchange at a price of \$1.01 and is cancelled due to being at the same price as a Priority Customer order on the Exchange.

Because the QCC Order is not successfully executed the entire QCC with Stock Order is cancelled.

## 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder that are applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b) of the Act.<sup>18</sup> In particular, the proposal is consistent with Section 6(b)(5) of the Act,<sup>19</sup> because it is designed to promote just and equitable principles of trade,

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 believes that the proposed rule change is designed to promote just and equitable principles of trade because it will increase transparency for members and other market participants with respect to how the Exchange facilitates the execution of the stock component of qualified contingent trades. The QCC with Stock Order is an optional piece of functionality offered to members to communicate the stock component of a qualified contingent trade to a designated broker-dealer for execution. Members that do not wish to use QCC with Stock functionality can enter QCC Orders on the Exchange and separately execute the stock component of their trades on another venue. Members can also build their own technology to electronically communicate the stock component of a qualified contingent trade to a broker-dealer for execution.

QCC with Stock Orders reduce members' compliance burden because it allows for the automatic submission of the stock component of a qualified contingent trade in connection with the execution of the options component(s) as a QCC Order on the Exchange. It also provides benefits to the Exchange by establishing an audit trail for the execution of the stock component of such trades within a reasonable period of time after the execution of the QCC Order. Members remain responsible for ensuring the execution of the stock component of a qualified contingent trade. Nevertheless, the Exchange believes that members have found the QCC with Stock Order functionality useful for ensuring compliance with the requirement that they execute the stock component of a qualified contingent trade within a reasonable period of time after executing the option component(s) on the Exchange as a QCC Order. The Exchange therefore believes that QCC with Stock Orders are designed 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.

### B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,<sup>20</sup> the Exchange does not believe that the proposed rule change will impose any burden on intermarket or intramarket competition that is not

necessary or appropriate in furtherance of the purposes of the Act. QCC with Stock Orders facilitate member compliance with the requirements associated with executing QCC Orders on the Exchange, and are not designed to impose any unnecessary burden on competition. Members are not required to use QCC with Stock Orders, and can either create similar functionality, or manually communicate the stock component of their qualified contingent trades to a broker-dealer for execution. In addition, QCC with Stock Orders are available to all members either through the Exchange's PrecISE front end or the member's FIX connection.

### 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<sup>21</sup> and subparagraph (f)(6) of Rule 19b-4 thereunder.<sup>22</sup>

A proposed rule change filed under Rule 19b-4(f)(6) normally does not become operative for 30 days after the date of filing. However, Rule 19b-4(f)(6)(iii)<sup>23</sup> permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. In its filing with the Commission, the Exchange requests that the Commission waive the 30-day operative delay. The Exchange states that it currently offers QCC with Stock Order functionality to aid members in their compliance with qualified contingent trade obligations, and for the surveillance benefits that this functionality provides. According to the Exchange, waiving the operative delay will allow the Exchange to update its rules immediately to reflect this

<sup>21</sup> 15 U.S.C. 78s(b)(3)(A)(iii).

<sup>22</sup> 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 met this requirement.

<sup>23</sup> 17 CFR 240.19b-4(f)(6)(iii).

<sup>18</sup> 15 U.S.C. 78f(b).

<sup>19</sup> 15 U.S.C. 78f(b)(5).

<sup>20</sup> 15 U.S.C. 78f(b)(8).



functionality, to the benefit of members and other market participants. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. The QCC with Stock Order functionality is designed to help ISE members that choose to use the functionality comply with their qualified contingent trade obligations in connection with a QCC Order,<sup>24</sup> as well as help the Exchange surveil its members for compliance with the Exchange's rules for QCC Orders. Therefore, the Commission designates the proposed rule change operative upon filing.<sup>25</sup>

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](mailto:rule-comments@sec.gov). Please include File Number SR-ISE-2017-12 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-ISE-2017-12. 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-ISE-2017-12 and should be submitted on or March 21, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>26</sup>

**Robert W. Errett,**

*Deputy Secretary.*

[FR Doc. 2017-03847 Filed 2-27-17; 8:45 am]

**BILLING CODE 8011-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-80089; File No. SR-MIAX-2017-06]

### Self-Regulatory Organizations; Miami International Securities Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend MIA X Options Rule 518, Complex Orders, To Establish the Complex MIA X Options Price Collar

February 22, 2017.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on February 14, 2017, Miami International Securities Exchange, LLC ("MIA X Options" 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 MIA X Options Rule 518, Complex Orders, to reflect a new price protection feature, the Complex MIA X Options Price Collar.

The text of the proposed rule change is available on the Exchange's Web site at <http://www.miaxoptions.com/rule-filings>, at MIA X'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.

##### A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

In October 2016, the Exchange adopted rules governing the trading in, and detailing the functionality of the MIA X Options System<sup>3</sup> in the handling of, complex orders on the Exchange.<sup>4</sup> In order to further support the trading of complex orders on the Exchange, the Exchange is proposing to establish an additional price protection feature for complex orders, the Complex MIA X Options Price Collar ("MPC"). The proposed MPC price protection feature is designed to help maintain a fair and orderly market by helping to mitigate the potential risk of executions at prices that are extreme and potentially erroneous.

The MPC would prevent complex orders from automatically executing at potentially erroneous prices by establishing a price range outside of which a complex order will not be

<sup>3</sup> The term "System" means the automated trading system used by the Exchange for the trading of securities. See Exchange Rule 100.

<sup>4</sup> See Securities Exchange Act Release No. 79072 (October 7, 2016), 81 FR 71131 (October 14, 2016) (SR-MIAX-2016-26).

<sup>24</sup> See *supra* note 4 and accompanying text.

<sup>25</sup> For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

<sup>26</sup> 17 CFR 200.30-3(a)(12).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

executed. Accordingly, the Exchange proposes to amend Rule 518(c)(1) by adding new sub-paragraph (iv), which will state that a complex order or eQuote (as defined in Interpretations and Policies .02 of Rule 518) will not be executed at a price that is outside of its MPC Price (as defined in proposed Interpretations and Policies .05(f) of the Rule) or its limit price.

The Exchange also proposes to amend Exchange Rule 518(c)(2)(ii) concerning prices at which complex orders are executed on the Exchange. Specifically, the Exchange proposes to amend Rule 518(c)(2)(ii) by adding to existing rule text that states that complex orders and quotes are subject to the MPC price protection feature described in proposed Interpretations and Policies .05(f) of Rule 518.

Proposed Rule 518, Interpretations and Policies .05, Price and Other Protections, lists several features that protect and help Members manage their risk in the trading of complex orders on MIA X Options. Proposed new Interpretations and Policies .05(f) describes the MPC protection feature and its functionality.

The MPC price protection feature is an Exchange-wide price protection mechanism, meaning that it will apply to all options listed on the Exchange for which complex orders are traded.<sup>5</sup> Under proposed Rule 518, Interpretations and Policies .05(f), a complex order or complex eQuote<sup>6</sup> to sell will not be displayed or executed at a price that is lower than the opposite side Complex National Best Bid and Offer (“cNBBO”)<sup>7</sup> bid at the time the MPC is assigned by the System (*i.e.*, upon receipt or upon opening) by more than a specific dollar amount expressed in \$0.01 increments (the “MPC

Setting”), and under which a complex order or eQuote to buy will not be displayed or executed at a price that is higher than the opposite side cNBBO offer at the time the MPC is assigned by the System by more than the MPC Setting (each the “MPC Price”). A complex order or a portion of a complex order that cannot be executed at or within the MPC Price will be placed on the Strategy Book, or be cancelled if it would otherwise be executed or placed on the Strategy Book at a price that is outside of the MPC Price. All complex orders and eQuotes are subject to the MPC price protection feature.

#### MPC Example #1—Order Cancelled Due to Price Protection

The MPC Setting is \$0.05 through the opposite cNBBO at the time of receipt. The Displayed Complex MIA X Best Bid or Offer (dcMBBO) is \$1.00 × \$1.15. The Complex National Best Bid or Offer (cNBBO) is \$1.00 × \$1.07.

A market order to buy 10 Strategies is received.

The order’s protected offer price (the MPC Price) is \$1.12 (\$1.07 + \$0.05 = \$1.12).

The MIA X Options Best Offer in the Strategy is \$1.15, however the order will not trade through its MPC Price (\$1.12) and is cancelled due to price protection.

In order to account for changes in market conditions, volatility, outside events and other issues that affect the marketplace, the Exchange is proposing to make the MPC Setting configurable, subject to a minimum and maximum value that is expressed as a dollar amount. Proposed Rule 518, Interpretations and Policies .05(f)(2) would provide that the minimum MPC Setting is \$0.00 and the maximum MPC Setting is \$1.00, as determined by the Exchange and communicated to Members via Regulatory Circular. The MPC Setting will apply equally to all options listed on the Exchange in which complex orders are available, and will be the same dollar amount for both buy and sell transactions. The Exchange is proposing to adopt the MPC Setting as a specific dollar amount to be added to the cNBBO offer in the case of buy orders, and subtracted from the cNBBO bid in the case of sell orders.

The MPC price protection feature is similar to price protections that are currently operative on other exchanges,<sup>8</sup>

however the Exchange’s proposal would establish a specific dollar amount, rather than a percentage, as the MPC Setting. The Exchange believes that it is more efficient to establish the MPC Setting as a specific Exchange-wide dollar amount because percentages can grow very large or very small on a relative basis depending on the price of the order or the size of the bid/ask spread. For instance, a 10% MPC Setting through a \$0.09 offer is \$0.009, not even one minimum increment in a penny class, whereas a 10% MPC Setting through a \$25.00 offer is \$2.50 or 250 minimum increments through the offer in a penny class (25 minimum increments through the offer in a class where the increment is \$0.10). The Exchange believes that the establishment of a percentage, rather than a dollar amount, could render the MPC price protection feature less effective at relatively low or high prices, especially taking into account the different trading increments that apply, depending upon the price. Therefore, the Exchange has determined to establish the MPC Setting as a dollar amount.

Proposed Rule 518.05(f)(3) states that the MPC Price is established (i) upon receipt of the complex order or eQuote during free trading,<sup>9</sup> or (ii) if the complex order or eQuote is not received during free trading: (A) At the beginning of a Complex Auction; (B) at the opening (or reopening following a halt) of trading in the complex strategy; or (C) upon evaluation of the Strategy Book by the System when a wide market condition, as described in Exchange Rule 518, Interpretations and Policies .05(e)(1)<sup>10</sup> of this Rule, no longer exists. Once established, the MPC Price will not change during the life of the complex order.<sup>11</sup> The purpose of this provision is to ensure that the MPC Price is established against the opposite side of the market (using the cNBBO) at

Exchange rules concerning price protection of simple orders as described below, under which market participants may specify the level of price protection by the number of price-points at which an order may trade. See Exchange Rule 515(c)(1).

<sup>9</sup> The term “free trading” means trading that occurs during a trading session other than: (i) at the opening or re-opening for trading following a halt, or (ii) during the Complex Auction Process (as described in Rule 518(d)). See Exchange Rule 518(a)(10).

<sup>10</sup> A “wide market condition” is defined as any individual component of a complex strategy having, at the time of evaluation, an MBBO quote width that is wider than the permissible valid quote width as defined in Rule 603(b)(4). See Exchange Rule 518.05(e)(1).

<sup>11</sup> Complex orders (and unexecuted portions of complex orders) with a time-in-force of Good Til Cancelled (“GTC”) will retain their initial MPC Price in the System until executed or cancelled.

<sup>5</sup> Only those complex orders in the classes designated by the Exchange and communicated to Members via Regulatory Circular with no more than the applicable number of legs, as determined by the Exchange on a class-by-class basis and communicated to Members via Regulatory Circular, are eligible for processing. See Exchange Rule 518(a)(5).

<sup>6</sup> Market Maker complex quotes may be entered as either complex Standard quotes or complex eQuotes. A complex Standard quote is a complex quote submitted by a Market Maker that cancels and replaces the Market Maker’s previous complex Standard quote for that side of the strategy, if any. A complex eQuote is a complex quote submitted by a Market Maker with a specific time in force that does not automatically cancel and replace the Market Maker’s previous complex Standard quote or complex eQuote. See Exchange Rule 518, Interpretations and Policies .02(a)(2).

<sup>7</sup> The cNBBO is calculated using the NBBO for each component of a complex strategy to establish the best net bid and offer for a complex strategy. For stock option orders, the cNBBO for a complex strategy will be calculated using the NBBO in the individual option component(s) and the NBBO in the stock component. See Exchange Rule 518(a)(2).

<sup>8</sup> See, e.g., Chicago Board Options Exchange, Inc. (“CBOE”) Rule 6.53C.08(e); NASDAQ PHLX LLC (“Phlx”) Rule 1098(h)(i). The instant MIA X proposal is similar to each of these rules, with slight differences as described in detail in Section 8 below. It is also substantially similar to current

the time the order is evaluated by the System either, as stated above, upon receipt or pursuant to the enumerated conditions in proposed Rule 518.05(f)(3)(ii) giving rise to the commencement or re-commencement of trading. By establishing this limit only one time and retaining it for the life of the order, the Exchange believes that it preserves the added systemic value of price protection and *de facto* drill-through protection for the order or quote measured against the opposite side cNBBO at or near its initial execution price.

If the MPC Price is priced less aggressively than the limit price of the complex order or eQuote (*i.e.*, the MPC Price is less than the complex order or eQuote's bid price for a buy, or the MPC Price is greater than the complex order or eQuote's offer price for a sell), or if the complex order is a market order, the complex order or eQuote will be displayed and/or executed up to its MPC Price. Any unexecuted portion of such a complex order or eQuote: (A) Will be cancelled if it would otherwise be displayed or executed at a price that is outside the MPC Price, and (B) may be subject to the managed interest process described in Rule 518(c)(4).

In addition to the proposed amendments relating to the MPC, proposed amended Rule 518(c)(4) is intended to address the situation in which a complex order is priced more aggressively than the icMBBO in the managed interest process. Specifically, should the Implied Complex MIA Best Bid or Offer ("icMBBO")<sup>12</sup> change, the complex order's book and display price will, as today, continuously re-price to the new icMBBO until the complex order has been executed in its entirety. Under the proposal, if not executed, the complex order's book and display price will continuously re-price to the new icMBBO until the complex order has been placed on the Strategy Book at prices up to and including its limit price or, in the case of a complex market order or a limit order that is priced more aggressively than the new icMBBO (*i.e.*, lower than the icMBBO bid for an order to sell or higher than the icMBBO offer for an order to buy), at the new icMBBO.

The cancellation in this circumstance would apply only if the MPC Price is priced less aggressively than the limit

price because the System will not place complex orders on the Strategy Book at a price that is through the MPC Price. Once the MPC Price would be exceeded, any unexecuted portion is cancelled back to the submitting participant so the submitting participant can decide how they would like to proceed with the order once it has reached its MPC Price and contracts remain to be executed. The purpose of this provision is to ensure that the Exchange will not display a complex order at a price at which it would never be executed (*i.e.*, outside of the MPC Price).

If the MPC Price is priced more aggressively than the limit price of the complex order or eQuote, (*i.e.*, the MPC Price is greater than the complex order or eQuote's bid price for a buy, or the MPC Price is less than the complex order or eQuote's offer price for a sell), the complex order or eQuote will be displayed and/or executed up to its limit price. Any unexecuted portion of such a complex order will be submitted, if eligible, to the managed interest process described in Rule 518(c)(4), or placed on the Strategy Book at its limit price. Any unexecuted portion of such a complex eQuote will be cancelled.<sup>13</sup>

#### MPC Example #2—Order is Managed as Part of the Managed Interest Process

The MPC Setting is \$0.05 through the opposite cNBBO at the time of receipt.  
The dcMBBO is  $\$1.00 \times \$1.10$   
The icMBBO is also  $\$1.00 \times \$1.10$   
The cNBBO is  $\$1.00 \times \$1.07$

A market order to buy 10 Strategies is received. The Strategy is not eligible for legging.

The MPC Price is  $\$1.12 (\$1.07 + \$0.05 = \$1.12)$

The order is placed on the Strategy Book and managed to the icMBBO offer of \$1.10

The offer remains displayed at the dcMBBO of \$1.10

The Exchange is also proposing to include the MPC Price as part of the evaluation process undertaken by the System upon receipt of a complex order. In order to account for such an evaluation by the System, the Exchange proposes to amend current Rule 518(c)(5)(i), Evaluation Upon Receipt During Trading, to state that, in addition to the other factors the System evaluates upon receipt of a complex order, the System will also evaluate and determine the complex order's MPC Price.

The Exchange believes that the proposed MPC Price and MPC Setting will enhance the ability of MIA participants to mitigate the potential risk of executions at prices that are extreme and potentially erroneous, and thus better manage their risk tolerance levels.

The Exchange will announce the implementation date of the proposed rule change by Regulatory Circular to be published no later than 60 days following the operative date of the proposed rule. The implementation date will be no later than 60 days following the issuance of the Regulatory Circular.

## 2. Statutory Basis

MIA believes that its proposed rule change is consistent with Section 6(b) of the Act<sup>14</sup> in general, and furthers the objectives of Section 6(b)(5) of the Act<sup>15</sup> 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 regulating, clearing, settling, processing information with respect to, and 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, and it is not designed to permit unfair discrimination among customers, brokers, or dealers.

The Exchange believes that the proposed MIA Options Price Collar is consistent with the Act because it is designed 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 avoiding execution of complex orders at prices that are significantly away from the cNBBO at the time the MPC Price is initially established pursuant to proposed Rule 518.05(f)(3). The Exchange believes that the cNBBO provides reasonable guidance with respect to the current value of a complex order.

The Exchange further believes that the proposed MPC price protection parameters and mechanisms for orders and quotes protect investors and the public interest in that they are reasonably designed to provide MIA Options participants with additional tools to assist them in managing their risk exposure. Specifically, the proposed MPC Price and MPC Setting should help MIA Options participants

<sup>12</sup> The icMBBO is a calculation that uses the best price from the Simple Order Book for each component of a complex strategy including displayed and nondisplayed trading interest. For stock-option orders, the icMBBO for a complex strategy will be calculated using the best price (whether displayed or non-displayed) on the Simple Order Book in the individual option component(s), and the NBBO in the stock component. See Exchange Rule 518(a)(11).

<sup>13</sup> A complex eQuote is either a Complex Auction or Cancel eQuote ("cAOC eQuote") or a Complex Immediate or Cancel eQuote ("cIOC eQuote"). See Exchange Rule 518, Interpretations and Policies .02(c). Because an eQuote has a time-in-force of IOC, the unexecuted portion of an eQuote would be cancelled if not executed immediately.

<sup>14</sup> 15 U.S.C. 78f(b).

<sup>15</sup> 15 U.S.C. 78f(b)(5).

mitigate the potential risks associated with entering complex orders or eQuotes that result in the execution of contracts at prices that are the result of extremely volatile market conditions that were not present at the time of receipt or evaluation of the complex order or eQuote.

The Exchange believes that the proposed amendments to Exchange Rule 518(c)(4) is designed to protect investors and the public interest because those amendments ensure that the MPC provides price protection in the managed interest process in the situation where a complex limit order is priced more aggressively than the icMBBO, in the same manner as a complex market order.

Additionally, the proposed MPC Price and MPC Setting are designed to remove impediments to and perfect the mechanisms of a free and open market and a national market system and by helping MIAX Options participants avoid executions at extreme and erroneous prices that may result from, for example, technology issues with the MIAX Options participant's electronic trading system. To this extent, the MPC Price and MPC Setting may help act as a backstop to the MIAX Options participant's own controls and provide an additional layer of protection.

#### *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 Complex MIAX Options Price Collar is available to all participants trading complex orders, and should provide MIAX Options participants with additional price protection from extreme and erroneous executions. Thus, the Exchange does not believe the proposal creates any significant impact on competition.

Additionally, respecting intra-market competition, the proposed MIAX Options Price Collar enhances competition because it is similar to price protections on other exchanges,<sup>16</sup> and thus should enable the Exchange to compete for order flow by ensuring the same or similar protection.

#### *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<sup>17</sup> and Rule 19b-4(f)(6)<sup>18</sup> 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](mailto:rule-comments@sec.gov). Please include File Number SR-MIAX-2017-06 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-MIAX-2017-06. 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

<sup>17</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>18</sup> 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.

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-2017-06 and should be submitted on or before March 21, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>19</sup>

**Robert W. Errett,**  
*Deputy Secretary.*

[FR Doc. 2017-03843 Filed 2-27-17; 8:45 am]

**BILLING CODE 8011-01-P**

## **SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34-80085; File No. SR-NYSEMKT-2017-06]

### **Self-Regulatory Organizations; NYSE MKT LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the Eighth Amended and Restated Certificate of Incorporation of Intercontinental Exchange Holdings, Inc. and the Fifth Amended and Restated Certificate of Incorporation of NYSE Group, Inc.**

February 22, 2017.

Pursuant to Section 19(b)(1)<sup>1</sup> of the Securities Exchange Act of 1934 (the "Act")<sup>2</sup> and Rule 19b-4 thereunder,<sup>3</sup> notice is hereby given that on February 8, 2017, NYSE MKT LLC ("NYSE MKT" or the "Exchange"), filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared

<sup>19</sup> 17 CFR 200.30-3(a)(12).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 15 U.S.C. 78a.

<sup>3</sup> 17 CFR 240.19b-4.

<sup>16</sup> See *supra* note 8.

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 the Substance of the Proposed Rule Change

The Exchange proposes to amend (a) the Eighth Amended and Restated Certificate of Incorporation of Intercontinental Exchange Holdings, Inc. (the "ICE Holdings Certificate") to add a reference to the name under which it filed its original certificate of incorporation, and (b) the Fifth Amended and Restated Certificate of Incorporation of NYSE Group, Inc. (the "Fifth Amended NYSE Group Certificate") to update obsolete references. The proposed rule change is available on the Exchange's Web site at [www.nyse.com](http://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.

#### A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

##### 1. Purpose

The Exchange proposes to make non-substantive changes to (a) the ICE Holdings Certificate to add a reference to the name under which it filed its original certificate of incorporation, and (b) the Fifth Amended NYSE Group Certificate to update obsolete references.

##### ICE Holdings Certificate

The Exchange's parent, NYSE Group, is a wholly-owned subsidiary of NYSE Holdings LLC, which is in turn 100% owned by Intercontinental Exchange Holdings, Inc. ("ICE Holdings"). Intercontinental Exchange, Inc. ("ICE"), a public company listed on the New York Stock Exchange, owns 100% of ICE Holdings.

The original certificate of incorporation of ICE Holdings was filed in 2000, under the name

"IntercontinentalExchange, Inc." In 2014, ICE Holdings changed its name from "IntercontinentalExchange, Inc." to "Intercontinental Exchange Holdings, Inc." At the same time, ICE Holding's parent, ICE, changed its name from "IntercontinentalExchange Group, Inc." to "Intercontinental Exchange, Inc."<sup>4</sup>

In response to a comment received from the State of Delaware Department of State, the Exchange proposes to amend paragraph (1) of the ICE Holdings Certificate to add a reference to the fact that the original certificate of incorporation was filed under the name "IntercontinentalExchange, Inc." The revised paragraph would read as follows (proposed new text italic):

(1) The present name of the Corporation is Intercontinental Exchange Holdings, Inc. The original Certificate of Incorporation of the Corporation was filed on June 16, 2000 (*the "Original Certificate of Incorporation"*), and the name under which the Corporation filed the Original Certificate of Incorporation was *IntercontinentalExchange, Inc.*

##### Fifth Amended NYSE Group Certificate

The Securities and Exchange Commission approved the Fifth Amended NYSE Group Certificate on January 30, 2017.<sup>5</sup>

The Exchange proposes to amend the Fifth Amended NYSE Group Certificate to update obsolete references to the Fourth Amended and Restated Certificate of Incorporation of NYSE Group ("Fourth Amended NYSE Group Certificate"). More specifically, the Exchange proposes to:

- Amend Article XIV, "Effective Time," to replace "Fourth" with "Fifth" and to replace December 29, 2014, the date of effectiveness of the Fourth Amended NYSE Group Certificate, with a placeholder which will be completed with the date that the Fifth Amended NYSE Group Certificate becomes effective; and
- on the signature page of the NYSE Group Certificate, replace "Fourth" with "Fifth" and replace December 29, 2014, with a placeholder which will be completed with the date that the Fifth Amended NYSE Group Certificate becomes effective.

No other changes to the ICE Holdings Certificate or Fifth Amended NYSE Group Certificate are proposed.

<sup>4</sup> See Securities Exchange Release No. 72156 (May 13, 2014), 79 FR 28782 (May 19, 2014) (SR-NYSEMKT-2014-41).

<sup>5</sup> See Securities Exchange Release No. 79901 (January 30, 2017), 82 FR 9251 (February 3, 2017) (SR-NYSE-2016-90, SR-NYSEMKT-2016-122, and SR-NYSEArca-2016-167).

##### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Exchange Act<sup>6</sup> in general, and with Section 6(b)(1)<sup>7</sup> in particular, in that it enables the Exchange to be so organized as to have the capacity to be able to carry out the purposes of the Exchange Act and to comply, and to enforce compliance by its exchange members and persons associated with its exchange members, with the provisions of the Exchange Act, the rules and regulations thereunder, and the rules of the Exchange.

The proposed amendment to the ICE Holdings Certificate to add a reference to the name under which it filed its original certificate of incorporation is a non-substantive, ministerial change requested by the State of Delaware Department of State that does not impact either the governance or ownership of the Exchange. The Exchange believes that the proposed change is consistent with Section 6(b)(1) because it would contribute to the orderly operation of the Exchange by adding clarity and transparency to the Exchange's rules and would enable the Exchange to continue to be so organized as to have the capacity to carry out the purposes of the Exchange Act and comply and enforce compliance with the provisions of the Exchange Act by its members and persons associated with its members.

For similar reasons, the Exchange also believes that the proposed change furthers the objectives of Section 6(b)(5) of the Exchange Act<sup>8</sup> because the proposed rule change would be consistent with and facilitate a governance and regulatory structure that 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 regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, 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.

As discussed above, the proposed change to amend the Fifth Amended NYSE Group Certificate, which would replace obsolete references to the Fourth Amended NYSE Group Certificate with references to the Fifth Amended NYSE Group Certificate and update the date of effectiveness, removes impediments to

<sup>6</sup> 15 U.S.C. 78f(b).

<sup>7</sup> 15 U.S.C. 78f(b)(1).

<sup>8</sup> 15 U.S.C. 78f(b)(5).

and perfects the mechanism of a free and open market by removing confusion that may result from having these references in the Fifth Amended NYSE Group Certificate. The Exchange further believes that the proposal removes impediments to and would perfect the mechanism of a free and open market by ensuring that persons subject to the Exchange's jurisdiction, regulators, and the investing public can more easily navigate and understand the Fifth Amended NYSE Group Certificate. The Exchange further believes that eliminating obsolete references would be consistent with the public interest and the protection of investors because investors will not be harmed and in fact would benefit from increased transparency, thereby reducing potential confusion. Removing such obsolete references will also further the goal of transparency and add clarity to the Exchange's rules.

#### *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 Exchange Act. The proposed rule change is not intended to address competitive issues but rather is to make non-substantive changes concerned solely with the clarity and transparency of its parent entities' governing documents.

#### *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**

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<sup>9</sup> and subparagraph (f)(6) of Rule 19b-4 thereunder.<sup>10</sup>

A proposed rule change filed under Rule 19b-4(f)(6) of the Act<sup>11</sup> normally does not become operative before 30

days from the date of the filing. However, Rule 19b-4(f)(6)(iii)<sup>12</sup> permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative upon filing. The Exchange believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest because the proposed changes are non-substantive and would provide clarity and transparency to its parent entities' governing documents. The Exchange represents that the proposed rule change would have no impact on either the governance or ownership of the Exchange. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because the proposed changes are non-substantive and will provide clarity to the Exchange's rules. Therefore, the Commission hereby waives the operative delay and designates the proposed rule change operative upon filing.<sup>13</sup>

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, 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](mailto:rule-comments@sec.gov). Please include File Number SR-NYSEMKT-2017-06 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange

<sup>12</sup> 17 CFR 240.19b-4(f)(6)(iii).

<sup>13</sup> For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

Commission, 100 F Street NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSEMKT-2017-06. 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 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-NYSEMKT-2017-06, and should be submitted on or before March 21, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>14</sup>

**Eduardo A. Aleman,**

*Assistant Secretary.*

[FR Doc. 2017-03804 Filed 2-27-17; 8:45 am]

**BILLING CODE 8011-01-P**

## **SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #15053 and #15054]**

### **Nevada Disaster #NV-00045**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the State of Nevada (FEMA-4303-DR), dated 02/17/2017.

*Incident:* Severe Winter Storms, Flooding, and Mudslides.

<sup>14</sup> 17 CFR 200.30-3(a)(12).

<sup>9</sup> 15 U.S.C. 78s(b)(3)(A)(iii).

<sup>10</sup> 17 CFR 240.19b-4(f)(6).

<sup>11</sup> 17 CFR 240.19b-4(f)(6).

*Incident Period:* 01/05/2017 through 01/14/2017.

*Effective Date:* 02/17/2017.

*Physical Loan Application Deadline Date:* 04/18/2017.

*Economic Injury (EIDL) Loan Application Deadline Date:* 11/17/2017.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the President's major disaster declaration on 02/17/2017, Private Non-Profit organizations that provide essential services of governmental nature may file disaster loan applications at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

*Primary Counties/Areas:*

Carson City, Douglas, Lyon, Storey, Washoe

And the PYRAMID Lake Paiute Tribe, the Reno-Sparks Indian Colony, and the Washoe Tribe of Nevada and California

The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Non-Profit Organizations With Credit Available Elsewhere ...	2.500
Non-Profit Organizations Without Credit Available Elsewhere .....	2.500
<i>For Economic Injury:</i>	
Non-Profit Organizations Without Credit Available Elsewhere .....	2.500

The number assigned to this disaster for physical damage is 150536 and for economic injury is 150546.

(Catalog of Federal Domestic Assistance Number 59008)

**James E. Rivera,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 2017-03837 Filed 2-27-17; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration #15043 and #15044]

**Georgia Disaster Number GA-00092**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 2.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Georgia (FEMA-4297-DR), dated 2/07/2017.

*Incident:* Severe Storms, Tornadoes, Straight-line Winds, and Flooding.

*Incident Period:* 1/21/2017 through 1/22/2017.

*Effective Date:* 2/15/2017.

*Physical Loan Application Deadline Date:* 4/10/2017.

*Economic Injury (EIDL) Loan Application Deadline Date:* 11/07/2017.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Georgia, dated 02/07/2017, is hereby amended to include the following areas as adversely affected by the disaster.

*Primary Counties:* Colquitt.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

**James E. Rivera,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 2017-03834 Filed 2-27-17; 8:45 am]

**BILLING CODE 8025-01-P**

**SOCIAL SECURITY ADMINISTRATION**

[Docket No: SSA-2017-0008]

**Agency Information Collection Activities: Proposed Request**

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes revisions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers. (OMB), Office of Management and Budget, Attn: Desk Officer for SSA, Fax: 202-395-6974, Email address: [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov), (SSA), Social Security Administration, OLCA, Attn: Reports Clearance Director, 3100 West High Rise, 6401 Security Blvd., Baltimore, MD 21235, Fax: 410-966-2830, Email address: [OR.Reports.Clearance@ssa.gov](mailto:OR.Reports.Clearance@ssa.gov). Or you may submit your comments online through [www.regulations.gov](http://www.regulations.gov), referencing Docket ID Number [SSA-2017-0008].

The information collections below are pending at SSA. SSA will submit them to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than May 1, 2017. Individuals can obtain copies of the collection instruments by writing to the above email address.

*1. Statement Regarding Marriage—20 CFR 404.726—0960-0017.* According to Section 216(h)(1)(A) of the Social Security Act (Act), SSA must apply state law when determining an individual's marital status. Some state laws recognize marriages without a ceremony (*i.e.*, common-law marriages). In such cases, SSA provides the same spouse or widow(er) benefits to the common-law spouses as it does to ceremonially married spouses. To determine common-law spouses, SSA must elicit information from blood relatives or other persons who are knowledgeable about the alleged common-law relationship. SSA uses Form SSA-753, Statement Regarding Marriage, to collect information from third parties to verify the applicant's statements about intent, cohabitation, and holding out to the public as married, which are the basic tenets of a common-law marriage. SSA uses the information to determine if a valid marital relationship exists, and if the common-law spouse is entitled to Social Security spouse or widow(er) benefits. The respondents are third parties who can confirm or deny the alleged common-law marriage.

*Type of Request:* Revision of an OMB-approved information collection.



Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA-753 .....	40,000	1	9	6,000

2. *Statement of Income and Resources—20 CFR 416.207, 146.301–416.310, 416.704, and 416.708–0960–0124.* SSA collects information about income and resources for Supplemental Security Income (SSI) claims and

redeterminations on the SSA-8010-BK. SSA uses the information to make initial or continuing eligibility determinations for SSI claimants or recipients who are subject to deeming. The respondents are people whose income and resources

SSA may deem (consider to be available) to SSI applicants or recipients.

*Type of Request:* Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA-8010-BK .....	341,000	1	26	147,767

3. *Claimant's Work Background—20 CFR 404.1512(a); 404.1520(a)(4); 404.1565(b); 416.912(a); 416.920(a)(4); 416.965(b)—0960–0300.* Sections 205(a) and 1631(e) of the Act provide the Commissioner of Social Security with the authority to establish procedures for determining if a claimant is entitled to disability benefits. An administrative law judge (ALJ) may ask individuals to provide background information on Form HA-4633 about work they performed in the past 15 years. When a

claimant requests a hearing before an ALJ to establish an entitlement to disability benefits, the ALJ may request that the claimant provide a work history to assist the ALJ in fully inquiring into statutory issues related to the disability. The ALJ uses the information collected from the claimants on Form HA-4633 to: (1) Identify the claimant's relevant work history; (2) decide if SSA requires expert vocational testimony and, if so, have a vocational expert available to testify during the hearing; and (3)

provide a reference for the ALJ to discuss the claimant's work history. The ALJ makes the completed HA-4633 part of the documentary evidence of record. The respondents are claimants for disability benefits under Title II or Title XVI who requested a hearing before an ALJ after SSA denied their application for disability payments.

*Type of Request:* Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
HA-4633 PDF/paper version .....	20,000	1	15	5,000
Electronic Records Express .....	180,000	1	15	45,000
Total .....	200,000	.....	.....	50,000

4. *Letter to Landlord Requesting Rental Information—20 CFR 416.1130(b)—0960–0454.* SSA uses Form SSA-L5061 to obtain rental subsidy information, which enables SSA to determine and verify an income value for such subsidies. SSA uses this income value as part of determining eligibility for SSI and the correct amount of SSI payable to the claimant. SSA bases an individual's eligibility for SSI payments, in part, on the amount of countable income the individual receives. Income includes in-kind support and maintenance in the form of room or rent, such as a subsidized rental

arrangement. SSA requires claimants to assist in obtaining this information to prevent a delay or overpayment with their SSI payments. We collect this information only if the SSI applicant or recipient is the parent or child of the landlord (respondent). For most respondents, we collect this information once per year or less, via telephone, or face-to-face personal interview. The claims representative records the information in our Modernized SSI Claims System (MSSICS), and we require verbal attestation in lieu of a wet signature. However, if the claims representative is unable to contact the

respondent via the telephone or face-to-face, we print and mail a paper form to the respondent for completion. The respondent completes, signs, and returns the form to the claims representative. Upon receipt, the claims representative documents the information in MSSICS or, for non-MSSICS cases, faxes the form into the appropriate electronic folder and shreds the paper form. The respondents are landlords related to the SSI beneficiaries as a parent or child.

*Type of Request:* Revision of an OMB-approved information collection.



Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA-L5061 .....	72,000	1	10	12,000

5. *Request for Evidence From Doctor and Request for Evidence From Hospital—20 CFR 404 Subpart P and 20 CFR 416 Subpart I—0960-0722.* Sections 223(d)(5) and 1614(a)(3)(H)(i) of the Act require claimants to furnish medical evidence of their disability when filing a disability claim. SSA uses Forms HA-66 and HA-67 to request

evidence from medical sources, which claimants identify as having information relative to their impairments, or ability to do work-related activities. In addition to accepting manual paper responses, SSA sends a barcode with the HA-66 and HA-67, allowing respondents to fax the information directly into the electronic claims folder rather than

submitting it manually. SSA uses the information to determine eligibility for benefits, and to pay medical sources for furnishing the information. The respondents are medical sources, doctors, and hospitals that evaluate the claimants.

*Type of Request:* Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
HA-66—Paper Version .....	3,060	22	15	16,830
HA-66—Electronic Version .....	8,940	22	15	49,170
HA-67—Paper Version .....	3,060	22	15	16,830
HA-67—Electronic Version .....	8,940	22	15	49,170
Totals .....	24,000	.....	.....	132,000

Dated: February 23, 2017.

**Naomi R. Sipple,**

*Reports Clearance Officer, Social Security Administration.*

[FR Doc. 2017-03850 Filed 2-27-17; 8:45 am]

**BILLING CODE 4191-02-P**

**DEPARTMENT OF STATE**

[Public Notice: 9899]

**Notice of Determinations; Culturally Significant Objects Imported for Exhibition Determinations: “Frédéric Bazille and the Birth of Impressionism” Exhibition**

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), E.O. 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236-3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257-1 of December 11, 2015), I hereby determine that the objects to be included in the exhibition “Frédéric Bazille and the Birth of Impressionism,” imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or

display of the exhibit objects at the National Gallery of Art, Washington, District of Columbia, from on or about April 9, 2017, until on or about July 9, 2017, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the imported objects, contact the Office of Public Diplomacy and Public Affairs in the Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA-5, Suite 5H03, Washington, DC 20522-0505.

**Alyson Grunder,**

*Deputy Assistant Secretary for Policy, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. 2017-03863 Filed 2-27-17; 8:45 am]

**BILLING CODE 4710-05-P**

**DEPARTMENT OF STATE**

[Public Notice 9898]

**Notice of Determinations; Culturally Significant Objects Imported for Exhibition Determinations: “Matisse in the Studio” Exhibition**

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to

the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), E.O. 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236-3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257-1 of December 11, 2015), I hereby determine that the objects to be included in the exhibition “Matisse in the Studio,” imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Museum of Fine Arts, Boston, Boston, Massachusetts, from on or about April 9, 2017, until on or about July 9, 2017, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the imported objects, contact the Office of Public Diplomacy and Public Affairs in the Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6471; email: *section2459@state.gov*). The mailing address is U.S.

Department of State, L/PD, SA-5, Suite 5H03, Washington, DC 20522-0505.

**Alyson Grunder,**

*Deputy Assistant Secretary for Policy, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. 2017-03831 Filed 2-27-17; 8:45 am]

**BILLING CODE 4710-05-P**

## DEPARTMENT OF STATE

[Public Notice 9897]

### Bureau of Political-Military Affairs, Directorate of Defense Trade Controls: Notifications to the Congress of Proposed Commercial Export Licenses

**AGENCY:** Department of State.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Department of State has forwarded the attached Notifications of Proposed Export Licenses to the Congress on the dates indicated on the attachments pursuant to sections 36(c) and 36(d), and in compliance with section 36(f), of the Arms Export Control Act.

**DATES:** As shown on each of the 30 letters.

**FOR FURTHER INFORMATION CONTACT:** Mr. Anthony M. Dearth, Directorate of Defense Trade Controls, Department of State, telephone (202) 663-2836; email [DDTCResponseTeam@state.gov](mailto:DDTCResponseTeam@state.gov). ATTN: Congressional Notification of Licenses.

**SUPPLEMENTARY INFORMATION:** Section 36(f) of the Arms Export Control Act (22 U.S.C. 2776) mandates that notifications to the Congress pursuant to sections 36(c) and 36(d) must be published in the **Federal Register** when they are transmitted to Congress or in a timely manner.

Following are such notifications to the Congress:

Oct 18, 2016

Honorable Paul D. Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting certification of a proposed license for the manufacture of significant military equipment abroad and the export of defense articles, including technical data, and defense services in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services to Norway to support of the manufacture of the M72 Light Anti-Armor Weapon (LAW) System and variants for sale abroad.

The United States government is prepared to license the export of these items having taken into account political, military,

economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 15-138.

Nov 10, 2016

Honorable Paul D. Ryan, *Speaker of the House Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of defense articles, including technical data, and defense services in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services to support the manufacture in Germany of multiple missile thermal batteries for sale abroad.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-009.

Nov 10, 2016

Honorable Paul D. Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of firearms, parts, and components abroad controlled under Category I of the United States Munitions List in the amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of fully automatic rifles and grenade launchers for use by the Government of Turkey.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-038.

Dec 5, 2016

Honorable Paul D. Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of firearms abroad controlled under Category I of the United States Munitions List in the amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of machine guns to Oman.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-039.

Oct 19, 2016

Honorable Paul D. Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license amendment for the export of defense articles, including technical data, and defense services in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services for the design, manufacture, and integration of the Weapons Bay Door Engine Inlet Ducts for all variants of the F-35 Lightning II aircraft to Italy, Japan and the Netherlands.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-046.

Nov 10, 2016

Honorable Paul D. Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of firearms, parts, and components abroad controlled under Category I of the United States Munitions List in the amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of M134 7.62x51mm gun weapons systems to Turkey.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,  
*Assistant Secretary Legislative Affairs.*  
Enclosure: Transmittal No. DDTC 16-051.

Oct 7, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 3(d) of the Arms Export Control Act, I am transmitting certification of a license for the transfer of defense articles, including technical data, and defense services in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the re-transfer of defense articles, including technical data, and defense services to Egypt for the modification, certification, maintenance, operation, training, and post-delivery support of (17) AT-802U Border Patrol Aircraft configured with surveillance and weapons capability.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,  
*Assistant Secretary Legislative Affairs.*  
Enclosure: Transmittal No. DDTC 16-052.

Oct 20, 2016

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of defense articles, including technical data, and defense services in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services to Mexico to support the

manufacture of piezoelectric ceramic products.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,  
*Assistant Secretary Legislative Affairs.*  
Enclosure: Transmittal No. DDTC 16-057.

Oct 18, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting certification of a proposed license amendment for the export of defense articles, including technical data, and defense services for the manufacture of significant military equipment abroad.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services to Israel to support the manufacture, maintenance, repair and overhaul of the J79-GE-J1E and J79-17 aircraft engines.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,  
*Assistant Secretary Legislative Affairs.*  
Enclosure: Transmittal No. DDTC 16-058.

Nov 15, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of defense articles, including technical data, and defense services for the manufacture of significant military equipment abroad.

The transaction contained in the attached certification involves the export of technical data, defense services, and manufacturing know-how to Japan to support the manufacture and repair of the Mission Computing System Data Display Group (DDG) and Ground Support Equipment (GSE) for the Japan Defense Force E767 AWACS aircraft.

The United States government is prepared to license the export of these items having

taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,  
*Assistant Secretary Legislative Affairs.*  
Enclosure: Transmittal No. DDTC 16-062.

Oct 26, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting certification of a proposed license for the manufacture of significant military equipment abroad and the export of defense articles, including technical data, and defense services in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services to Germany to support the manufacture and assembly of pistols and long guns in commercial product lines.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,  
*Assistant Secretary Legislative Affairs.*  
Enclosure: Transmittal No. DDTC 16-063.

Oct 20, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of defense articles, including technical data, and defense services in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services to Switzerland and Spain to support the operational support, overhaul, maintenance and training pertaining to the F404-GE-402 aircraft gas turbine engines.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information

submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-066.

Oct 20, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of an amendment to a technical assistance agreement for the export of defense articles, including technical data, and defense services in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the continued export of defense articles, including technical data and defense services to Sweden for the design, manufacture and integration of the F414-GE-439E engine.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-067.

Nov 10, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of an amendment to a technical assistance agreement for the export of defense articles, including technical data, and defense services in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the continued export of defense articles, including technical data and defense services for the Organizational, Intermediate, and Depot Level Maintenance of F110-GE-129C/129E engines for end use by the Republic of Singapore.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-068.

Dec 5, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of firearms, parts, and accessories abroad controlled under Category I of the United States Munitions List in the amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of M16 assault rifles to Oman.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-069.

Oct 7, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of defense articles, including technical data, and defense services in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services to Israel to support the design, development, integration, testing, initial lot, and full rate co-production of the Arrow 3 Interceptor.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-070.

Oct 26, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting

certification of a proposed license for the export of firearms, parts, and accessories abroad controlled under Category I of the United States Munitions List in the amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of rifles, pistols, and barrels to Canada for commercial resale.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-073.

Oct 19, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of firearms and accessories abroad controlled under Category I of the United States Munitions List in the amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of semi-automatic pistols and accessories to the United Arab Emirates.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-075.

Nov 14, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of firearms, parts, and accessories abroad controlled under Category I of the United States Munitions List in the amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of upper receiver assemblies to be incorporated into assault rifles and sold to the United Arab Emirates.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-076.

Oct 19, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of defense articles, including technical data, and defense services in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services to Belgium, Sweden, and the Netherlands to support the manufacture, overhaul, testing, design, and development of the T-X Trainer Aircraft Aft Fuselage with integration of sub-systems, Ground Based Training Elements, and Logistic Support Elements.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-078.

Oct 7, 2017

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of an amendment to a technical assistance agreement for the export of defense articles, including technical data, and defense services in the amount of \$14,000,000 or more.

The transaction contained in the attached certification involves the continued export of defense articles, including technical data and defense services for the sale of P-8I Long Range Maritime Reconnaissance and Anti-Submarine Warfare Aircraft to the Government of India.

The United States government is prepared to license the export of these items having taken into account political, military,

economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-085.

Oct 27, 2017

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of firearms, components, and accessories abroad controlled under Category I of the United States Munitions List in the amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of various semi-automatic rifles, pistols, barrels, components, and accessories to France.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-086.

Nov 10, 2017

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of proposed license amendment for the export of defense articles, including technical data, and defense services in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the continued export of defense articles, including technical data and defense services for the sale of T-6C+ aircraft to the government of Mexico.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-089.

Oct 20, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of firearms abroad controlled under Category I of the United States Munitions List in the amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of various centerfire bolt action rifles to Canada for commercial resale.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-090.

Nov 10, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license amendment for the export of defense articles, including technical data, and defense services in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the continued export of defense articles, including technical data and defense services for the sale of Phalanx CIWS Block 1B systems to the Republic of Korea.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Julia Frifield,

*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-092.

Dec 5, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of defense articles, including technical data, and defense services for the

manufacture of significant military equipment abroad.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services to the United Kingdom to support the modification and manufacture of a Laser and Laser Rangefinder.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Julia Frifield,  
*Assistant Secretary Legislative Affairs.*  
Enclosure: Transmittal No. DDTC 16-095.

Dec 5, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of firearms, parts, and accessories abroad controlled under Category I of the United States Munitions List in the amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of semi-automatic pistols, semi-automatic rifles, lever action rifles, barrel assemblies, barrels, receiver assemblies, spare parts, and accessories to Canada.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Julia Frifield,  
*Assistant Secretary Legislative Affairs.*

Enclosure: Transmittal No. DDTC 16-098.

Dec 13, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) and 36(d) of the Arms Export Control Act, I am transmitting certification of a proposed license amendment for the manufacture of significant military equipment abroad and the export of defense articles, including technical data, and defense services in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services to Japan to support the integration, installation, operation, training, testing, maintenance, manufacture, and repair of the Patriot Product Improvement Program for the Japan Defense Agency.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Julia Frifield,  
*Assistant Secretary Legislative Affairs.*  
Enclosure: Transmittal No. DDTC 16-102.

Dec 5, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of defense articles, including technical data, and defense services in the amount of \$25,000,000 or more.

The transaction contained in the attached certification involves the export of F-135 engines, including technical data, and defense services to Italy for the F-35 aircraft.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Julia Frifield,  
*Assistant Secretary Legislative Affairs.*  
Enclosure: Transmittal No. DDTC 16-110.

Dec 5, 2016

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting certification of a proposed license amendment for the manufacture of significant military equipment abroad and the export of defense articles, including technical data, and defense services in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services to Japan for the manufacture of assemblies, sub-assemblies, components, and associated kits of Infrared Detecting Systems (IDS) for the Ministry of Defense of Japan.

The United States government is prepared to license the export of these items having taken into account political, military, economic, human rights, and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Julia Frifield,  
*Assistant Secretary Legislative Affairs.*  
Enclosure: Transmittal No. DDTC 16-112.

**Anthony Dearth,**  
*(Acting) Managing Director, Directorate of Defense Trade Controls, Department of State.*  
[FR Doc. 2017-03859 Filed 2-27-17; 8:45 am]

**BILLING CODE 4710-25-P**

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