

Controlled substance	Drug code	Schedule
Tapentadol .....	9780	II

The company plans to manufacture the above-listed controlled substances in bulk for distribution to its customers.

Dated: September 14, 2018.

**John J. Martin,**

*Assistant Administrator.*

[FR Doc. 2018-20702 Filed 9-21-18; 8:45 am]

**BILLING CODE 4410-09-P**

**DEPARTMENT OF JUSTICE**

**Federal Bureau of Investigation**

[Docket No. FBI]

**FBI Criminal Justice Information Services Division; User Fee Schedule**

**AGENCY:** Federal Bureau of Investigation (FBI), Justice.

**ACTION:** Notice.

**SUMMARY:** The FBI is authorized to establish and collect fees for providing fingerprint-based and name-based Criminal History Record Information (CHRI) checks submitted by authorized users for noncriminal justice purposes including employment and licensing. A portion of the fee is intended to reimburse the FBI for the cost of providing fingerprint-based and name-based CHRI checks (“cost reimbursement portion” of the fee). The FBI is also authorized to charge an additional amount to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs (“automation portion” of the fee). The notice explains the methodology used to calculate revised fees and provides the revised fee schedule.

**APPLICABLE DATE:** This revised fee schedule is effective January 1, 2019.

**FOR FURTHER INFORMATION CONTACT:** Mr. John A. Traxler, Section Chief,

Resources Management Section, Criminal Justice Information Services (CJIS) Division, FBI, 1000 Custer Hollow Road, Module D-3, Clarksburg, WV 26306. Telephone number 304-625-3700.

**SUPPLEMENTAL INFORMATION:** Pursuant to the authority in Public Law 101-515, as amended, the FBI has established user fees for authorized agencies requesting noncriminal justice fingerprint-based and name-based CHRI checks. In accordance with the requirements of Title 28, Code of Federal Regulations (CFR), Section 20.31(e), the FBI periodically reviews the process of providing fingerprint-based and name-based CHRI checks to determine the proper fee amounts which should be collected, and the FBI publishes any resulting fee adjustments in the **Federal Register**.

A fee study was conducted in keeping with 28 CFR 20.31(e)(2). The fee study results recommend an increase in the fingerprint-based CHRI checks from the current user fees published in the **Federal Register** on July 14, 2016, which have been in effect since October 1, 2016. The FBI reviewed the results of the independently conducted User Fee Study, compared the recommendations to the current fee schedule, and determined the revised fee recommendation amounts for the cost reimbursement portion of the fee were reasonable and in consonance with the underlying legal authorities.

For the automation portion of the FBI CJIS user fee rate, the current methodology has been in place since 2008. This method used the depreciation value of select capital information technology assets as the basis for the calculation. Given the considerable transformation in the business and operational environments within the FBI CJIS Division, to include

changes in technology and workload, the FBI conducted an extensive business review of the automation portion of the FBI CJIS user fee rate. As a result of the review, an updated methodology for the calculation of the automation portion of the FBI CJIS user fee rate has been adopted.

The FBI is implementing a flat rate methodology for the automation portion of the FBI CJIS user fee rate. The initial flat rate is based on historical automation fund usage divided by historical volume for the same time period. The resulting per unit cost is rounded to the nearest whole dollar to arrive at a flat rate. Each time the FBI conducts a user fee study under 28 CFR 20.31 (e)(2), the amount of the flat rate will be re-evaluated to determine if an adjustment is warranted. In making this determination, consideration will be given to the following factors: Program fluctuations, available funding levels, and/or changes in legal authority. This methodology achieves the FBI’s overarching objectives for program solvency, rate stability, and predictable revenue with regard to the automation portion of the fee.

Pursuant to the recommendations of the study and the revised automation methodology, the fees for fingerprint-based CHRI checks will be increased and the fee for name-based CHRI checks will remain the same for federal agencies specifically authorized by statute, e.g., pursuant to the Security Clearance Information Act, Title 5, United States Code, Section 9101.

The following tables detail the new fee amounts for authorized users requesting fingerprint-based and name-based CHRI checks for noncriminal justice purposes, including the difference from the fee schedule currently in effect.

**FINGERPRINT-BASED CHRI CHECKS**

Service	Fee currently in effect	Fee currently in effect for CBSPs <sup>1</sup>	Change in fee amount	Revised fee	Revised fee for CBSPs
Fingerprint-based Submission .....	\$12.00	\$10.00	\$1.25	\$13.25	<sup>2</sup> \$11.25
Fingerprint-based Volunteer Submission (See e.g., 75 FR 18752) <sup>3</sup> .....	10.75	8.75	.50	11.25	<sup>4</sup> 9.25

<sup>1</sup> Centralized Billing Service Providers, see 75 FR 18753.

<sup>2</sup> Cost Recovery = \$5.25; Automation = \$6.

<sup>3</sup> Volunteers providing care for children, the elderly, or individuals with disabilities.

<sup>4</sup> Cost Recovery = \$5.25; Automation = \$4.

NAME-BASED CHRI CHECKS

Service	Fee currently in effect	Change in fee amount	Revised fee (no change)
Name-based Submission .....	\$2.00	\$ .00	\$2.00

Dated: September 14, 2018.  
**Christopher A. Wray**,  
*Director.*  
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**MILLENNIUM CHALLENGE CORPORATION**

[MCC FR 18–12]

**Report on the Criteria and Methodology for Determining the Eligibility of Candidate Countries for Millennium Challenge Account Assistance for Fiscal Year 2019**

**AGENCY:** Millennium Challenge Corporation.  
**ACTION:** Notice.

**SUMMARY:** This report to Congress is provided in accordance with section 608(b) of the Millennium Challenge Act of 2003, as amended (Act). Section 608(a) of the Millennium Challenge Act of 2003 requires the Millennium Challenge Corporation to publish a report that identifies countries that are “candidate countries” for Millennium Challenge Account assistance during FY 2018. The report is set forth in full below.

Dated: September 13, 2018.  
**Jeanne M. Hauch**,  
*Vice President/General Counsel and Corporate Secretary.*

**Report on the Criteria and Methodology for Determining the Eligibility of Candidate Countries for Millennium Challenge Account Assistance in Fiscal Year 2019**

*Summary*

In accordance with section 608(b)(2) of the Act (22 U.S.C. 7707(b)(2)), the Millennium Challenge Corporation (MCC) is submitting the enclosed report. This report identifies the criteria and methodology that MCC intends to use to determine which candidate countries may be eligible to be considered for assistance under the Act for fiscal year 2019.

Under section 608(c)(1) of the Act (22 U.S.C. 7707(c)(1)), MCC will, for a thirty-day period following publication, accept and consider public comment for purposes of determining eligible

countries under section 607 of the Act (22 U.S.C. 7706).

This document explains how the Board of Directors (Board) of the Millennium Challenge Corporation (MCC) will identify, evaluate, and select eligible countries for fiscal year (FY) 2019. The statutory basis for this report is set forth in Appendix A. Specifically, this document discusses the following:

- I. Which countries MCC will evaluate
- II. How the Board evaluates these countries
  - A. Overall
  - B. For selection of an eligible country for a first compact
  - C. For selection of an eligible country for a second or subsequent compact
  - D. For selection of an eligible country for a concurrent compact
  - E. For threshold program assistance
  - F. A note on potential transition to upper middle income country status after initial selection

**I. Which countries are evaluated?**

For scorecard evaluation purposes for FY 2019, MCC evaluates all candidate countries and statutorily-prohibited countries according to the following income groups:<sup>1</sup>

- Countries whose gross national income (GNI) per capita is \$1,875 or less; and
- Countries whose GNI per capita is between \$1,876 and \$3,895.

Appendix B lists all candidate countries and statutorily-prohibited countries for scorecard evaluation purposes.

**II. How does the Board evaluate these countries?**

*A. Overall Evaluation*

The Board looks at three legislatively-mandated factors in its evaluation of any candidate country for compact eligibility: (1) Policy performance; (2) the opportunity to reduce poverty and generate economic growth; and (3) the availability of MCC funds.

<sup>1</sup> These income groups correspond to the definitions of low income countries and lower middle countries using the historic International Development Association (IDA) threshold published by the World Bank. MCC has used these categories to evaluate country performance since FY 2004. Our amended statute no longer uses those definitions for funding purposes, but we will continue to use them for evaluation purposes.

**1. Policy Performance**

Because of the importance of needing to evaluate a country’s policy performance and needing to do so in a comparable, cross-country way, the Board relies to the maximum extent possible upon the best-available objective and quantifiable indicators of policy performance. These indicators act as proxies of the country’s commitment to just and democratic governance, economic freedom, and investing in its people, as laid out in MCC’s founding legislation. Comprised of 20 third-party indicators in the categories of “encouraging economic freedom,” “investing in people,” and “ruling justly,” MCC “scorecards” are created for all candidate countries and statutorily-prohibited countries. To “pass” the indicators on the scorecard, the country must perform above the median *among its income group* (as defined above for scorecard evaluation purposes), except in the cases of inflation, political rights, civil liberties, and immunization rates (countries whose GNI per capita is between \$1,876 and \$3,895 only), where threshold scores have been established. In particular, the Board considers whether the country

- passed at least 10 of the 20 indicators, with at least one in each category,
- passed either the Political Rights or Civil Liberties indicator, and
- passed the Control of Corruption indicator.

While satisfaction of all three aspects means a country is termed to have “passed” the scorecard, the Board also considers whether the country performed “substantially worse” in any one policy category than it does on the scorecard overall. Appendix C describes all 20 indicators, their definitions, what is required to “pass,” their source, and their relationship to the legislative criteria.

The mandatory passing of either the Political Rights or Civil Liberties indicators is called the Democratic Rights “hard hurdle” on the scorecard, while the mandatory passing of the Control of Corruption indicator is called the Control of Corruption “hard hurdle.” Not passing either “hard hurdle” results in not passing the scorecard overall, regardless of whether