



FEDERAL REGISTER

Vol. 83 Thursday,
No. 66 April 5, 2018

Pages 14565–14732

OFFICE OF THE FEDERAL REGISTER



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Contents

Federal Register

Vol. 83, No. 66

Thursday, April 5, 2018

Agriculture Department

See Natural Resources Conservation Service

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 14622

Intents to Certify:

Virginia Department of Agriculture and Consumer Services, 14622–14623

Alcohol, Tobacco, Firearms, and Explosives Bureau

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

Report of Firearms Transactions—Demand 2 (ATF Form 5300.5), 14671

Coast Guard

RULES

Safety Zones:

Vigor Industrial Drydock Movement, West Duwamish Waterway; Seattle, WA, 14589–14591

Commerce Department

See Economic Analysis Bureau

See Industry and Security Bureau

See National Oceanic and Atmospheric Administration

Comptroller of the Currency

NOTICES

Meetings:

Minority Depository Institutions Advisory Committee, 14718

Defense Department

RULES

Defense Support of Civil Authorities, 14589

Defense Support of Civilian Law Enforcement Agencies, 14588–14589

NOTICES

Meetings:

Defense Acquisition University Board of Visitors, 14629
Defense Health Board, 14629–14630

Economic Analysis Bureau

NOTICES

Annual Surveys:

Foreign Ocean Carriers' Expenses in the United States, 14627

Quarterly Surveys:

Foreign Airline Operators' Revenues and Expenses in the United States, 14625–14626

Transactions in Selected Services and Intellectual Property with Foreign Persons, 14628–14629

U.S. Airline Operators' Foreign Revenues and Expenses, 14626–14627

Surveys:

Insurance Transactions by U.S. Insurance Companies with Foreign Persons, 14627–14628

Education Department

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application for the Educational Flexibility Program, 14630–14631

Election Assistance Commission

NOTICES

Meetings:

Board of Advisors; Rescheduled, 14631
Standards Board; Rescheduled, 14631

Energy Department

See Federal Energy Regulatory Commission

Environmental Protection Agency

RULES

Air Quality Designations:

2010 Sulfur Dioxide (SO₂) Primary National Ambient Air Quality Standard—Round 3—Supplemental Amendment, 14597–14603

Air Quality State Implementation Plans; Approvals and Promulgations:

South Carolina; Air Plan Approval; Update to Materials Incorporated by Reference, 14591–14597

NOTICES

2008 Ozone Standard Attainment Demonstrations for Transportation Conformity Purposes:

Sheboygan County, Wisconsin Area; Adequacy Status, 14637

Meetings:

Chartered Clean Air Scientific Advisory Committee; Sulfur Oxides Panel, 14638

Human Studies Review Board, 14636–14637

Proposed CERCLA Administrative Cost Recovery Settlements:

Gould Electronics, Inc., New Hampshire Dioxane Site, Atkinson/Hampstead, NH, 14637–14638

Public Water System Supervision Program Revisions: State of Montana, 14635–14636

Federal Aviation Administration

RULES

Airworthiness Directives:

Piper Aircraft, Inc., 14568–14574

Amendment, Revocation, and Establishment of Class D and E Airspace:

Enid Vance AFB, OK; Enid Woodring Municipal Airport, OK; Enid, OK; and Vance AFB, OK, 14574–14576

Class B Airspace Description; Amendments:

St. Louis, MO, 14576–14579

Class E Airspace; Amendments:

Selinsgrove, PA; Correction, 14580

PROPOSED RULES

Airworthiness Directives:

Bell Helicopter Textron Canada Limited Helicopters, 14606–14608

Class D and Class E Airspace; Amendments:

Eastover, SC and Sumter, SC, 14610–14611

Class E Airspace; Establishments; 14608–14610

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Protection of Voluntarily Submitted Information, 14714–14715

Airport Property Releases:
South Valley Regional Airport, Salt Lake City, UT, 14712–14713

Environmental Assessments; Availability, etc.:
Office of Commercial Space Transportation; Issuing Reentry License to SpaceX for Landing Dragon Spacecraft in Gulf of Mexico, 14716

Noise Exposure Maps:
Jackson Hole Airport, Jackson, WY; Noise Compatibility Program and Request for Review, 14713–14714
Shreveport Regional Airport, Shreveport, LA, 14715–14716

Federal Bureau of Investigation**NOTICES**

Meetings:
Council for the National Crime Prevention and Privacy Compact, 14671–14672

Federal Communications Commission**NOTICES**

Meetings:
Broadband Deployment Advisory Committee, 14639

Federal Deposit Insurance Corporation**RULES**

Assessment Regulations, 14565–14568

Federal Election Commission**NOTICES**

Meetings; Sunshine Act, 14639

Federal Emergency Management Agency**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 14645–14646
Flood Hazard Determinations; Changes, 14646–14650
Flood Hazard Determinations; Proposals, 14651–14652
Major Disaster and Related Determinations:
American Samoa, 14650–14651

Federal Energy Regulatory Commission**NOTICES**

Combined Filings, 14632–14634
Initial Market-Based Rate Filings Including Requests for Blanket Section 204 Authorizations:
NC 102 Project LLC, 14631–14632
Meetings:
Increasing Market and Planning Efficiency and Enhancing Resilience through Improved Software; Technical Conference, 14634–14635

Federal Housing Finance Agency**PROPOSED RULES**

Regulatory Review, 14605–14606

Federal Motor Carrier Safety Administration**NOTICES**

Exemption Applications:
Parts and Accessories Necessary for Safe Operation; Stoneridge, Inc., 14716–14718

Federal Reserve System**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 14639–14642

Federal Trade Commission**RULES**

Energy Labeling Rule, 14583–14584

PROPOSED RULES

Proposed Self-Regulatory Guidelines:
Children's Online Privacy Protection Rule Safe Harbor; Entertainment Software Rating Board's COPPA Safe Harbor Program Application to Modify Program Requirements, 14611–14613

Fish and Wildlife Service**NOTICES**

Endangered and Threatened Wildlife:
Availability of Proposed Low-Effect Habitat Conservation Plan for the Sand Skink, Orange County, FL, 14666–14667
Environmental Impact Statements; Availability, etc.:
South Bay Salt Pond Restoration Project, Phase 2, Eden Landing Ecological Reserve, 14667–14669

Food and Drug Administration**RULES**

New Animal Drugs:
Approval of New Animal Drug Applications; Changes of Sponsorship; Change of a Sponsor's Name and Address, 14584–14588

NOTICES

Guidance:
Liposome Drug Products: Chemistry, Manufacturing, and Controls; Human Pharmacokinetics and Bioavailability; and Labeling Documentation, 14642–14643

Government Accountability Office**NOTICES**

Requests for Nominations:
Board of Governors of the Patient-Centered Outcomes Research Institute, 14642

Health and Human Services Department

See Food and Drug Administration
See National Institutes of Health
See Substance Abuse and Mental Health Services Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 14643–14644

Homeland Security Department

See Coast Guard
See Federal Emergency Management Agency

NOTICES

Privacy Act; Systems of Records, 14652–14655

Housing and Urban Development Department**NOTICES**

Annual Factors for Determining Public Housing Agency Administrative Fees for the Section 8 Housing Choice Voucher, Mainstream, and Moderate Rehabilitation Programs, 14655–14666

Industry and Security Bureau**RULES**

Reclassification of Targets for the Production of Tritium and Related Development and Production Technology Initially Classified Under the 0Y521 Series, 14580–14583

Interior Department

See Fish and Wildlife Service

See Land Management Bureau

Justice Department

See Alcohol, Tobacco, Firearms, and Explosives Bureau

See Federal Bureau of Investigation

Land Management Bureau**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

Desert Land Entry Application, 14670

Plats of Survey:

Eastern States, 14670–14671

National Institutes of Health**NOTICES**

Meetings:

National Library of Medicine, 14644

National Oceanic and Atmospheric Administration**RULES**

Fisheries of the Exclusive Economic Zone off Alaska: Pacific cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area, 14603–14604

National Science Foundation**NOTICES**

Meetings:

Advisory Committee for Mathematical and Physical Sciences, 14676–14677

Proposal Review Panel for International Science and Engineering, 14678

Proposal Review Panel for Materials Research, 14672–14678

Natural Resources Conservation Service**NOTICES**

Environmental Assessments; Availability, etc.:

Alabama Trustee Implementation Group Draft Restoration Plan II, 14623–14625

Presidential Documents**PROCLAMATIONS**

Special Observances:

World Autism Awareness Day (Proc. 9719), 14725–14728

ADMINISTRATIVE ORDERS

Somalia; Continuation of National Emergency (Notice of April 4, 2018), 14729–14732

Railroad Retirement Board**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 14678–14682

Meetings; Sunshine Act, 14682

Securities and Exchange Commission**NOTICES**

Applications for Deregistration, 14689–14690

Meetings; Sunshine Act, 14682

Self-Regulatory Organizations; Proposed Rule Changes:

Cboe Exchange, Inc., 14685–14689

Nasdaq PHLX LLC, 14690–14698

NYSE Arca, Inc., 14698–14703

The Nasdaq Stock Market LLC, 14683–14684, 14703–14705

State Department**NOTICES**

Meetings:

Business Roundtable Meeting on U.S.-Japan Infrastructure Partnership in Third Countries, 14711

Proposed Export Licenses to the Congress, 14705–14711

Substance Abuse and Mental Health Services Administration**NOTICES**

Meetings:

Interdepartmental Serious Mental Illness Coordinating Committee, 14644–14645

Trade Representative, Office of United States**NOTICES**

World Trade Organization Dispute Settlement Proceeding:

India—Export Related Measures, 14711–14712

Transportation Department

See Federal Aviation Administration

See Federal Motor Carrier Safety Administration

Treasury Department

See Comptroller of the Currency

NOTICES

2018 Data Call under the Terrorism Risk Insurance Program, 14718–14721

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

IRS Taxpayer Burden Surveys, 14721–14722

U.S.-China Economic and Security Review Commission**NOTICES**

Public Hearings:

China's Agricultural Policies—Trade, Investment, Safety, and Innovation, 14722

Veterans Affairs Department**PROPOSED RULES**

Release of Information from Records, 14613–14621

NOTICES

Meetings:

Advisory Committee on Minority Veterans, 14723

Advisory Committee on Women Veterans, 14722–14723

Separate Parts In This Issue**Part II**

Presidential Documents, 14725–14728

Part III

Presidential Documents, 14729–14732

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents electronic mailing list, go to <https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new>, enter your e-mail address, then follow the instructions to join, leave, or manage your subscription.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR**Proclamations:**

9719.....14727

Administrative Orders:**Notices:**Notice of April 4,
201814731**12 CFR**

32714565

Proposed Rules:

Ch. XII.....14605

14 CFR

3914568

71 (3 documents)14574,
14576, 14580**Proposed Rules:**

3914606

71 (2 documents)14608,
14610**15 CFR**

77414580

16 CFR

30514583

Proposed Rules:

31214611

21 CFR

51014584

52014584

52214584

52614584

55814584

32 CFR

18214588

18514589

33 CFR

16514589

38 CFR**Proposed Rules:**

114613

40 CFR

5214591

8114597

50 CFR

67914603

Rules and Regulations

Federal Register

Vol. 83, No. 66

Thursday, April 5, 2018

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.

The Code of Federal Regulations is sold by the Superintendent of Documents.

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 327

Assessment Regulations

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Final rule; technical amendments.

SUMMARY: The FDIC is making technical amendments to its rules governing deposit insurance assessments. The FDIC believes that the amendments will have little or no effect on the deposit insurance assessments for insured depository institutions (IDIs), and any potential effect would result in lower assessments. The first technical amendment makes clear that small bank assessment credits will be applied for assessment periods in which the reserve ratio of the Deposit Insurance Fund (DIF) is at least 1.38 percent instead of, as currently provided, just when the ratio exceeds 1.38 percent. The second technical amendment removes a data item from the assessment regulations that most small banks can no longer report on the Consolidated Report of Income and Condition (Call Report). The third technical amendment re-incorporates, for assessment purposes, the capital definitions and ratio thresholds used for prompt corrective action (PCA) that were inadvertently removed in a 2016 rulemaking.

DATES: Effective April 5, 2018.

FOR FURTHER INFORMATION CONTACT: Nefretete Smith, Counsel, Legal Division, (202) 898-6851 or nefsmith@fdic.gov; or Ashley Mihalik, Senior Policy Analyst, Banking and Regulatory Policy Section, Division of Insurance and Research, (202) 898-3793 or amihalik@fdic.gov.

SUPPLEMENTARY INFORMATION:

I. Technical Amendment Regarding Use of Credits for Small Banks

The FDIC is correcting a drafting error regarding a provision of the deposit insurance assessment regulations that governs the use of assessment credits for small banks.¹ Under the FDIC's assessment regulations, the FDIC will provide small banks with assessment credits for the portion of their regular assessments that contribute to the increase in the DIF reserve ratio from 1.15 percent to 1.35 percent. The regulatory text further states that the FDIC will apply assessment credits to a small bank's deposit insurance assessments for assessment periods in which the reserve ratio of the DIF exceeds 1.38 percent. Consistent with the preamble language of the final rule in which this provision was adopted (the Minimum Reserve Ratio final rule²), the regulatory text should state that small bank assessment credits will be applied for assessment periods in which the DIF reserve ratio is at least 1.38 percent—that is, at or above 1.38 percent and not just above 1.38 percent.

The FDIC also is making a technical edit to update a cross reference in the same subsection. Currently, the subsection refers to section 327.9. However, as of June 30, 2016, § 327.9 ceased to be in effect, and the operative section is now § 327.16. As a result, the reference is being updated to refer to § 327.16.

II. Technical Amendment Regarding the Loan Mix Index

The Loan Mix Index (LMI), which measures the relative riskiness of a bank's loan portfolio, is one of the measures used in the assessment regulations to calculate an established

¹ As used herein, the term "bank" is synonymous with "insured depository institution." Generally, for deposit insurance assessment purposes, a "small bank" is an insured depository institution with less than \$10 billion in total consolidated assets. See 12 CFR 327.8(e).

² 81 FR 16059 (Mar. 25, 2016). The final rule implemented section 334 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, which: (1) Raises the minimum reserve ratio for the DIF to 1.35 percent (from the former minimum of 1.15 percent); (2) requires that the DIF reserve ratio reach 1.35 percent by September 30, 2020; and (3) requires that, in setting assessments, the FDIC "offset the effect of [the increase in the minimum reserve ratio from 1.15 percent to 1.35 percent] on insured depository institutions with total consolidated assets of less than \$10,000,000,000."

small bank's³ assessment rate.⁴ The LMI includes Loans to Foreign Governments as a loan category.

Effective March 31, 2017, as part of an initiative to reduce Call Report burden for community banks, the Federal Financial Institutions Examination Council (FFIEC) added a new and streamlined Call Report form (FFIEC 051) for banks that have less than \$1 billion in total assets and no foreign offices. The FFIEC also revised the general Call Report form (FFIEC 041) for banks with no foreign offices. As part of that initiative, the FFIEC removed the line item for reporting loans to foreign governments from Call Report form FFIEC 041 and excluded the item from the new Call Report form FFIEC 051. The Call Report form for banks with both foreign and domestic offices (FFIEC 031), however, still includes a line item for reporting loans to foreign governments.

Because most small banks are no longer able to report these loans as a separate item on the Call Report, the FDIC is removing Loans to Foreign Governments from the calculation of the LMI in the established small bank deposit insurance pricing methodology.

III. Technical Amendments Regarding Definitions of Capital Categories

The FDIC is making technical amendments to reinsert PCA capital ratios and ratio thresholds used to define capital categories (*i.e.*, well-capitalized, adequately capitalized, under-capitalized) in the assessment regulations. The definitions of capital categories for deposit insurance assessment purposes were inadvertently deleted in a 2016 rulemaking, known as the Small Bank Pricing rule.⁵ Currently the deposit insurance assessment system uses capital categories to calculate two ratios that affect assessment rates.⁶

³ Generally, an established small bank is one that has been federally insured for five years or more. See 12 CFR 327.8(k).

⁴ See 81 FR 32180, 32186–32188 (May 20, 2016).

⁵ The Small Bank Pricing rule refined the deposit insurance pricing methodology for established small banks. See 81 FR 32180 (May 20, 2016). The Small Bank Pricing rule made no changes to the way assessments are calculated for new small banks, keeping in place the definitions of capital categories adopted by the FDIC in 2014.

⁶ The two ratios are the brokered deposit ratio and the brokered deposit adjustment. The brokered deposit ratio is one of the measures used to

Continued

Since the implementation of the risk-based deposit insurance assessment system in 1993, the FDIC has used the same capital ratios and ratio thresholds to define capital categories for deposit insurance assessment purposes as those used for PCA purposes, except that capital categories defined for assessment purposes rely solely on capital ratios. When the FDIC implemented the risk-based deposit insurance assessment system in 1993, it chose not to incorporate other supervisory information, such as enforcement orders, used to define capital categories for PCA purposes because this information was more appropriately considered with regard to supervisory evaluations, which were (and continue to be) a separate component of assessment pricing.⁷ Thus, while the current PCA standards in the capital rules⁸ permit a bank to be reclassified to a lower capital category if the bank is subject to certain enforcement orders or other specific supervisory findings (even if the bank meets the PCA capital ratio requirements for a higher capital category),⁹ such a reclassification would be inconsistent with the FDIC's longstanding practice of relying solely on capital ratios to define capital

determine the assessment rate for an established small bank. An established small bank that has a CAMELS composite rating of 1 or 2 and is well capitalized may deduct reciprocal deposits from the brokered deposit ratio; otherwise, it cannot deduct these deposits. See 12 CFR 327.16(a)(1)(ii). The brokered deposit adjustment applies only to large banks and highly complex institutions that are less than well capitalized or have a CAMELS composite rating of 3, 4, or 5. The brokered deposit adjustment increases a bank's assessment rate if it has high levels of brokered deposits. See 12 CFR 327.16(e)(3). The deposit insurance assessment system also uses capital categories to calculate assessments for new small banks (*i.e.*, a small bank that has been federally insured for less than five years).

⁷ See 57 FR 45263, 45279 (Oct. 1, 1992). "These assessment definitions reflect only the capital ratio standards from the proposed PCA definitions, which include other elements as well . . . These elements are not incorporated in the definitions of the capital groups for risk-based assessment purposes. In the risk-based assessment context, these elements are more appropriately considered with regard to supervisory subgroup determinations."

⁸ See 12 CFR 6.4, 12 CFR 208.43, and 12 CFR 324.403.

⁹ For PCA purposes, an IDI that otherwise meets the ratio threshold requirements for the well capitalized PCA category: (1) Will be classified as an adequately capitalized if it is subject to a written agreement, order, capital directive, or prompt corrective action directive to meet and maintain a specific capital level for any capital measure; and (2) may be reclassified as adequately capitalized, if, following notice and an opportunity for hearing, the bank is determined to be unsafe or unsound or has failed to correct a less-than-satisfactory rating for asset quality, management, earnings, or liquidity. See 12 CFR 6.4(c)(1)(v) and (e), 12 CFR 208.43(b)(1)(v) and (c), and 12 CFR 324.403(b)(1)(v) and (d).

categories for deposit insurance assessment purposes.

To remedy the error that resulted from the Small Bank Pricing rule, the FDIC is amending its regulations to reincorporate the PCA capital ratios and ratio thresholds into the deposit insurance assessment system. The technical amendment aligns the regulatory text with the FDIC's intent to "maintain[] the consistency between capital evaluations for deposit insurance assessment purposes and capital ratios and ratio thresholds for PCA purposes that has existed since the creation of the risk-based assessment system over 20 years ago."¹⁰ The technical amendment will re-incorporate the PCA capital ratios and ratio thresholds for defining capital categories in a manner that make them applicable to all banks (other than insured branches of foreign banks), and will continue to rely solely on capital ratios to define capital categories for deposit insurance assessment purposes.¹¹

IV. Economic Effects

A. Technical Amendments Regarding Use of Credits for Small Banks

In the preamble to the Minimum Reserve Ratio final rule, which is incorporated here by reference, the FDIC described its anticipated economic effects.¹² The economic effects of that final rule are unchanged by the amendments to the regulatory text. No institutions are presently affected by correcting the regulatory text to state that small bank assessment credits will be applied for assessment periods in which the DIF reserve ratio is *at least* 1.38 percent because the reserve ratio has not yet reached that level. These

¹⁰ 79 FR 70427, 70429 (Nov. 26, 2014) (the Capital Conforming Amendments final rule). In 2014, the FDIC published the Capital Conforming Amendments final rule that, among other things, revised the ratios and ratio thresholds relating to definitions of capital categories for deposit insurance assessment purposes to conform to the PCA capital ratios and ratio thresholds adopted by the FDIC, Office of the Comptroller of the Currency, and the Board of Governors of the Federal Reserve System in 2013. See 79 FR 20754 (Apr. 14, 2014), 78 FR 55340 (Sept. 10, 2013), and 78 FR 62018 (Oct. 11, 2013).

¹¹ Current assessment regulations generally incorporate PCA capital standards for new small banks, but, as the result of an error, they do not incorporate for new small banks the PCA standard that an advanced approaches bank will be considered undercapitalized if it has a supplementary leverage ratio (SLR) of less than 3.0 percent. As defined in the PCA capital rules, an advanced approaches bank, including one that is a new small bank, will be considered undercapitalized if its SLR is below 3.0 percent, even if all other ratios meet the ratio thresholds for well capitalized or adequately capitalized. See 12 CFR 6.4(c)(3)(iv)(B), 208.43(b)(3)(iv)(B), and 324.403(b)(3)(v).

¹² See 81 FR at 16066–068.

amendments avoid any ambiguity regarding when the FDIC will begin applying the small bank credits, and will not affect the amount of credits to be awarded any small bank. In the event that the DIF reserve ratio is 1.38 percent at the end of a quarter, then these amendments will effectuate the FDIC's existing intent to permit small banks to use credits in that quarter.

B. Technical Amendment to the Loan Mix Index

The FDIC estimates that the removal of Loans to Foreign Governments from the LMI will have virtually no economic effect. Because the FFIEC removed the line item for reporting loans to foreign governments from Call Report form FFIEC 041 and excluded the item from the new Call Report form FFIEC 051, the inclusion of loans to foreign governments in the LMI no longer helps to differentiate the relative riskiness of a bank's loan portfolio for the purposes of calculating its risk-based assessment rate. Further, based on FDIC data, from 2011 through 2016, when all banks could report the item, fewer than 10 small banks reported a balance for loans to foreign governments and official institutions in a given year. During 2017, only one bank out of the 5,746 established small banks (and out of 26 small banks that filed the FFIEC 031) reported a balance for Loans to Foreign Governments, and the resulting effect on the bank's assessment rate was immaterial. Therefore, for any bank that holds these loans and files the FFIEC 031, the amendment would either have no effect or would reduce the bank's assessment rate. Removal of the loan category would not affect banks that file FFIEC 041 or 051 because they have not been able to report loans in this category as a separate item since December 31, 2016.

C. Technical Amendments Regarding Definitions of Capital Categories

The FDIC expects that these technical amendments will not have any economic effect. In practice and consistent with the FDIC's intent when it adopted the Capital Conforming Amendments final rule, the FDIC has relied solely on capital ratios to determine a bank's capital category for deposit insurance assessment purposes. Also consistent with longstanding practice, the FDIC has not considered enforcement orders or other specific supervisory findings that might reclassify a bank to a lower capital category. Thus, the technical amendments clarify that any bank that meets the PCA ratio thresholds in the capital rules will not be reclassified for

assessment purposes to a lower capital category for other reasons.^{13 14}

V. Regulatory Analysis and Procedure

A. Administrative Procedure Act and Effective Date

Under 5 U.S.C. 553(b)(B) of the Administrative Procedure Act (APA), an agency may, for good cause, find (and incorporate the finding and a brief statement of reasons therefore in the rules issued) that notice and public comment procedure thereon are impracticable, unnecessary, or contrary to the public interest. The FDIC finds that notice and comment procedures are unnecessary under 5 U.S.C. 553(b)(B), as this rule consists only of technical amendments that are minor and will have no substantive effect on the public. First, regarding the technical amendments on the use of small bank credits, this rule aligns the regulatory text with the intent of that final rule. Second, regarding the technical amendment to the LMI in the small bank pricing methodology, the amendment in this rule aligns with FFIEC's changes to Call Report forms to reduce reporting burden for community banks, and is immaterial because the inclusion of loans to foreign governments in the LMI currently affects only one bank's assessment rate (resulting in an insignificant amount). Moreover, these loans no longer help to differentiate the relative riskiness of an established small bank's loan portfolio. Third, regarding the technical amendments relating to definitions of capital categories, this rule aligns the regulatory text with the intent of the Capital Conforming Amendments and Small Bank Pricing final rules to incorporate the PCA capital ratios and ratio thresholds in the capital rules into the definitions of capital categories used in the deposit insurance assessment system, but without including the PCA provisions that permit a bank to be

¹³ A bank that meets the quantitative measures for the well capitalized PCA category is considered less than well capitalized for PCA purposes, for example, if it is subject to a written agreement, order, capital directive, or prompt corrective action directive to meet and maintain a specific capital level for any capital measure or the bank had been determined to be unsafe or unsound or had failed to correct a less-than-satisfactory rating for asset quality, management, earnings, or liquidity.

¹⁴ Consistent with the capital rules and the FDIC's intent in the Capital Conforming Amendments final rule, the amendments also make clear that any advanced approaches bank that is a new small bank will be undercapitalized if the bank has an SLR below 3.0 percent, even if all other capital ratios meet the ratio thresholds for well capitalized or adequately capitalized. Based on Call Report data as of December 31, 2017, the most recent date for which data is available, no advanced approaches bank will be affected by this clarification.

reclassified to a lower capital category for reasons other than capital ratios. The amendments regarding the definitions of capital categories will not affect the assessment rate of any bank.

Considering the circumstances mentioned above, the FDIC has determined that publishing a notice of proposed rulemaking and providing opportunity for comment is unnecessary.

Under 5 U.S.C. 553(d)(3) of the APA, the required publication or service of a substantive rule shall be made not less than 30 days before its effective date, except, among other things, as provided by the agency for good cause found and published with the rule. As explained above, the FDIC finds that this rule consists only of technical amendments that are minor and will have no substantive effect on the public. Also, because delaying the effective date of these technical amendments would serve no purpose, the FDIC finds good cause to make this rule effective upon publication.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) does not apply to a rulemaking where a general notice of proposed rulemaking is not required.¹⁵ As noted above, the FDIC has determined that it is unnecessary to publish a notice of proposed rulemaking for these technical amendments. Accordingly, the RFA's requirements relating to an initial and final regulatory flexibility analysis do not apply.

Moreover, certain types of rules, such as rules of particular applicability relating to rates or corporate or financial structures, or practices relating to such rates or structures, are expressly excluded from the definition of "rule" for purposes of the RFA. This rule, and the technical amendments in this rule, relate directly to the rates imposed on IDIs for deposit insurance and to the assessment system that measures risk and determines each IDI's assessment rate.

C. Small Business Regulatory Enforcement Fairness Act

The Office of Management and Budget (OMB) has determined that the final rule is not a major rule within the meaning of the relevant sections of the Small Business Regulatory Enforcement Fairness Act of 1996,¹⁶ and the FDIC will submit the final rule and other appropriate reports to Congress and the

Government Accountability Office for review.

D. Riegle Community Development and Regulatory Improvement Act

The Riegle Community Development and Regulatory Improvement Act (RCDRIA) requires that the FDIC, in determining the effective date and administrative compliance requirements of new regulations that impose additional reporting, disclosure, or other requirements on IDIs, consider, consistent with principles of safety and soundness and the public interest, any administrative burdens that such regulations would place on depository institutions, including small depository institutions, and customers or depository institutions, as well as the benefits of such regulations.¹⁷ Subject to certain exceptions, new regulations and amendments to regulations prescribed by a Federal banking agency which impose additional reporting, disclosure, or other new requirements on IDIs shall take effect on the first day of a calendar quarter which begins on or after the date on which the regulations are published in final form.¹⁸

The FDIC has determined that RCDRIA does not apply to the rule because the technical amendments do not impose additional reporting, disclosures, or other requirements on IDIs.

E. Paperwork Reduction Act

In accordance with the requirements of the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501–3521, the FDIC may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a currently valid OMB control number. The FDIC reviewed the rule and concludes that the technical amendments do not create any new, or revise any existing, collections of information pursuant to PRA. Therefore, no submission will be made to OMB.

F. The Treasury and General Government Appropriations Act, 1999—Assessment of Federal Regulations and Policies on Families

The FDIC has determined that the final rule will not affect family well-being within the meaning of section 654 of the Treasury and General Government Appropriations Act, enacted as part of the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 (Pub. L. 105–277, 112 Stat. 2681).

¹⁵ See 5 U.S.C. 603 and 604.

¹⁶ 5 U.S.C. 801, *et seq.*

¹⁷ 12 U.S.C. 4802(a).

¹⁸ 12 U.S.C. 4802(b).

G. Solicitation of Comments on Use of Plain Language

Section 722 of the Gramm-Leach-Bliley Act, Public Law 106-102, 113 Stat. 1338, 1471 (Nov. 12, 1999), requires the Federal banking agencies to use plain language in all proposed and final rulemakings published in the Federal Register after January 1, 2000. As noted above, the FDIC has determined that it is unnecessary to publish a notice of proposed rulemaking for these technical amendments. The FDIC has sought to present the final rule in a simple and straightforward manner.

List of Subjects in 12 CFR 327

Bank deposit insurance; Banks, Banking; Savings associations.

Authority and Issuance

For the reasons set forth in the preamble, chapter III of title 12 of the Code of Federal Regulations is amended as follows:

PART 327—ASSESSMENTS

■ 1. The authority citation for part 327 continues to read as follows:

Authority: 12 U.S.C. 1441, 1813, 1815, 1817-19, 1821.

■ 2. In § 327.8, add paragraph (z) to read as follows:

§ 327.8 Definitions.

* * * * *

(z) Well capitalized, adequately capitalized and undercapitalized. For any insured depository institution other than an insured branch of a foreign bank, Well Capitalized, Adequately Capitalized and Undercapitalized have the same meaning as in: 12 CFR 6.4 (for national banks and federal savings associations), as either may be amended from time to time, except that 12 CFR 6.4(c)(1)(v) and (e), as they may be amended from time to time, shall not apply; 12 CFR 208.43 (for state member institutions), as either may be amended from time to time, except that 12 CFR 208.43(b)(1)(v) and (c), as they may be amended from time to time, shall not apply; and 12 CFR 324.403 (for state nonmember institutions and state savings associations), as either may be amended from time to time, except that 12 CFR 324.403(b)(1)(v) and (d), as they may be amended from time to time, shall not apply.

■ 3. In § 327.11, revise paragraphs (c)(3)(i) and (c)(11)(i) to read as follows:

§ 327.11 Surcharges and assessments required to raise the reserve ratio of the DIF to 1.35 percent.

* * * * *

(c) * * *
(3) * * *

(i) Fraction of quarterly regular deposit insurance assessments paid by credit accruing institutions. The fraction of assessments paid by credit accruing institutions shall equal quarterly deposit insurance assessments, as determined under §§ 327.9 and 327.16, paid by such institutions for each assessment period during the credit calculation period, divided by the total amount of quarterly deposit insurance assessments paid by all insured depository institutions during the credit calculation period, excluding the aggregate amount of surcharges imposed under paragraph (b) of this section.

* * * * *

(11) * * *

(i) The FDIC shall apply assessment credits awarded under paragraph (c) of this section to an institution's deposit insurance assessments, as calculated under §§ 327.9 and 327.16, only for assessment periods in which the reserve ratio of the DIF is at least 1.38 percent.

* * * * *

■ 4. In § 327.16, revise paragraphs (a)(1)(ii)(B) and (c)(2) to read as follows:

§ 327.16 Assessment pricing methods—beginning the first assessment period after June 30, 2016, where the reserve ratio of the DIF as of the end of the prior assessment period has reached or exceeded 1.15 percent.

(a) * * *

(1) * * *

(ii) * * *

(B) Definition of loan mix index. The Loan Mix Index assigns loans in an institution's loan portfolio to the categories of loans described in the following table. The Loan Mix Index is calculated by multiplying the ratio of an institution's amount of loans in a particular loan category to its total assets by the associated weighted average charge-off rate for that loan category, and summing the products for all loan categories. The table gives the weighted average charge-off rate for each category of loan. The Loan Mix Index excludes credit card loans.

LOAN MIX INDEX CATEGORIES AND WEIGHTED CHARGE-OFF RATE PERCENTAGES

Table with 2 columns: Loan Mix Index Categories and Weighted charge-off rate (percent). Rows include Construction & Development, Commercial & Industrial, Leases, Other Consumer, and Real Estate Loans Residual.

LOAN MIX INDEX CATEGORIES AND WEIGHTED CHARGE-OFF RATE PERCENTAGES—Continued

Table with 2 columns: Loan Mix Index Categories and Weighted charge-off rate (percent). Rows include Multifamily Residential, Nonfarm Nonresidential, 1-4 Family Residential, Loans to Depository Banks, Agricultural Real Estate, and Agriculture.

* * * * *

(c) * * *

(2) Capital evaluations. Each new small institution will receive one of the following three capital evaluations on the basis of data reported in the institution's Consolidated Reports of Condition and Income or Thrift Financial Report (or successor report, as appropriate) dated as of the last day of each assessment period: Well Capitalized, Adequately Capitalized, or Undercapitalized as defined in § 327.8(z) of this chapter.

* * * * *

Dated at Washington, DC, on March 20, 2018.

By order of the Board of Directors. Federal Deposit Insurance Corporation. Valerie Best, Assistant Executive Secretary.

[FR Doc. 2018-06920 Filed 4-4-18; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2018-0245; Product Identifier 2018-CE-012-AD; Amendment 39-19234; AD 2018-07-03]

RIN 2120-AA64

Airworthiness Directives; Piper Aircraft, Inc.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: We are superseding Airworthiness Directive (AD) 2018-02-05 for certain Piper Aircraft, Inc. Models PA-28-140, PA-28-150, PA-28-151, PA-28-160, PA-28-161, PA-28-180, PA-28-181, PA-28-236, PA-28-201T, PA-28R-180, PA-28R-200, PA-28R-201, PA-28R-201T, PA-28RT-201, and PA-28RT-201T airplanes. AD 2018-02-

05 required inspecting the fuel tank selector cover to verify the left and right fuel tank selector placards are located at the proper positions and replacing those that are improperly located with new placards. This AD addresses the same unsafe condition and requires the same actions as AD 2018-02-05, but changes the inspection of the fuel tank selector cover to a preflight check and allows for various fuel selector clocking configurations. This AD was prompted by our determination to allow the owner/operator (pilot) holding at least a private pilot certificate to perform the preflight check. We are issuing this AD to allow the pilot to do a preflight check of the fuel selector placards.

DATES: This AD is effective April 20, 2018.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 20, 2018.

We must receive any comments on this AD by May 21, 2018.

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:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this final rule, contact Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, FL 32960; telephone: (772) 567-4361; internet: www.piper.com/technical-publications-documents/. You may view this service information at the FAA, Policy and Innovation Division, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148. It is also available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-0245.

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-2018-0245; or in person at Docket Operations

between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the regulatory evaluation, any comments received, and other information. The street address for Docket Operations (phone: 800-647-5527) is listed above. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT:

Boyce Jones, Aerospace Engineer, Atlanta ACO Branch, FAA, 1701 Columbia Avenue, College Park, Georgia 30337; phone: (404) 474-5535; fax: (404) 474-5606; email: boyce.jones@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

We issued AD 2018-02-05, Amendment 39-19158 (83 FR 3064, January 23, 2018), (“AD 2018-02-05”), for certain Piper Aircraft, Inc. Models PA-28-140, PA-28-150, PA-28-151, PA-28-160, PA-28-161, PA-28-180, PA-28-181, PA-28-236, PA-28-201T, PA-28R-180, PA-28R-200, PA-28R-201, PA-28R-201T, PA-28RT-201, and PA-28RT-201T airplanes. AD 2018-02-05 required inspecting the fuel tank selector cover to verify the left and right fuel tank selector placards are located at the 12:00 and 3:00 clock positions, respectively, and replacing those that are improperly located with new placards. AD 2018-02-05 resulted from a quality control issue that resulted in the installation of fuel tank selector covers with the placement of the left and right fuel tank selector placards installed in reverse. We issued AD 2018-02-05 to prevent fuel management error. The unsafe condition, if not addressed, could result in fuel starvation and loss of engine power in flight.

Actions Since AD 2018-02-05 Was Issued

Since we issued AD 2018-02-05, we have determined that the owner/operator (pilot) holding at least a private pilot certificate will be allowed to perform the preflight check of the fuel tank selector placards.

Related Service Information Under 1 CFR Part 51

We reviewed Piper Aircraft, Inc. Service Bulletin No. 1309A, dated March 6, 2018. The service bulletin describes procedures for doing a preflight check of the fuel tank selector cover to verify the left and right fuel tank selector placards are located in the proper positions, and replacing those that are improperly located with a new placard. 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

We are issuing 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.

AD Requirements

This AD requires doing a preflight check of the fuel tank selector cover to verify the left and right fuel tank selector placards are located at the proper positions and replacing those that are improperly located with new placards. The preflight check required in this AD may be performed by the owner/operator (pilot) holding at least a private pilot certificate and must be entered into the airplane records showing compliance with this AD in accordance with 14 CFR 43.9 (a)(1)-(4) and 14 CFR 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439.

FAA’s Justification and Determination of the Effective Date

The FAA previously determined that the risk to the flying public justified waiving notice and comment prior to the adoption of AD 2018-02-05. This AD is being issued to relieve the maintenance requirements found in 2018-02-05, by changing the inspection of the fuel tank selector cover to a preflight check, while also allowing for various fuel selector clocking configurations. Because the substance of AD 2018-02-05 remains the same, but for the relieving aspects noted in this AD, we find good cause that notice and opportunity for prior public comment are unnecessary. In addition, for the reasons stated above, we find that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not provide you with notice and an opportunity to provide your comments before it becomes effective. However, we invite you to send any written data, views, or arguments about this final rule. Send your comments to an address listed under the **ADDRESSES** section. Include the docket number FAA-2018-0245 and product identifier 2018-CE-012-AD at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy

aspects of this final rule. We will consider all comments received by the closing date and may amend this final rule 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 final rule.

Costs of Compliance

We estimate that this AD affects 17,957 airplanes, of U.S. registry.

We estimate the following costs to comply with this AD:

Since this AD allows the owner/operator (pilot) holding at least a private pilot certificate to perform the required preflight check of the fuel tank selector

placards, there is a reduction in cost associated with this AD.

We estimate the following costs to do any necessary replacements that will be required based on the results of the preflight check of the left and right fuel tank selector placards for proper installation 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
Install new fuel selector placards on the fuel selector cover.	.5 work-hour × \$85 per hour = \$42.50	\$9.26	\$51.76

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.

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the

Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to small airplanes, gliders, balloons, airships, domestic business jet transport airplanes, and associated appliances to the Director of the Policy and Innovation Division.

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 part 39 of the Federal Aviation Regulations (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 removing Airworthiness Directive (AD) 2018–02–05, Amendment 39–19158 (83 FR 3064, January 23, 2018) and adding the following new AD:

2018–07–03 Piper Aircraft, Inc:

Amendment 39–19234; Docket No. FAA–2018–0245; Product Identifier 2018–CE–012–AD.

(a) Effective Date

This AD is effective April 20, 2018.

(b) Affected ADs

This AD replaces 2018–02–05, Amendment 39–19158 (83 FR 3064, January 23, 2018) (“AD 2018–02–05”).

(c) Applicability

This AD applies to the following Piper Aircraft, Inc. airplane models and serial numbers (S/Ns) that are certificated in any category:

TABLE—1 TO PARAGRAPH (C) OF THIS AD—APPLICABLE AIRPLANE MODELS AND S/NS

Model	Serial No.
PA–28–140	28–20001 through 28–26946; 28–7125001 through 28–7725290.
PA–28–150	28–03, 28–1 through 28–4377, and 28–1760A.
PA–28–151	28–7415001 through 28–7715314.
PA–28–160	28–03, 28–1 through 28–4377, and 28–1760A.

TABLE—1 TO PARAGRAPH (c) OF THIS AD—APPLICABLE AIRPLANE MODELS AND S/NS—Continued

Model	Serial No.
PA-28-161	2841001 through 2841365, 28-7716001 through 28-8216300, 28-8316001 through 28-8616057, 2816001 through 2816109, 2816110 through 2816119, and 2842001 through 2842420.
PA-28-180	28-03, 28-671 through 28-5859, 28-7105001 through 28-7205318, 28-E13, and 28-7305001 through 28-7505261.
PA-28-181	28-7690001 through 28-8690056, 28-8690061, 28-8690062, 2890001 through 2890205, 2890206 through 2890231, and 2843001 through 2843879.
PA-28-236	28-7911001 through 28-8611008 and 2811001 through 2811050.
PA-28-201T	28-7921001 through 28-7921095.
PA-28R-180	28R-30002 through 28R-31270 and 28R-7130001 through 28R-7130019.
PA-28R-200	28R-30482, 28R-35001 through 28R-35820, 28R-7135001 through 28R-7135238, and 28R-7235001 through 28R-7635545.
PA-28R-201	28R-7737002 through 28R-7837317, 2837001 through 2837061, and 2844001 through 2844171.
PA-28R-201T	28R-7703001 through 28R-7803374 and 2803001 through 2803015.
PA-28RT-201	28R-7918001 through 28R-8218026.
PA-28RT-201T	28R-7931001 through 28R-8631005, and 2831001 through 2831038.

(d) Subject

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America Code 11, Placard and Markings.

(e) Unsafe Condition

This AD was prompted by our determination to change the inspection of the fuel tank selector cover to a preflight check and allows for various fuel selector clocking configurations. We are issuing this AD to allow the pilot to do a preflight check of the fuel selector placards.

(f) Compliance

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

(g) Preflight Check of the Fuel Selector Cover

Before further flight after April 20, 2018 (the effective date of this AD), check the left and right fuel selector cover placards for proper installation using the Appendix to this AD. If the fuel selector placards are properly installed, no further action is required. The preflight check of the fuel selector cover may be performed by the owner/operator (pilot) holding at least a private pilot certificate and must be entered into the airplane records showing compliance with this AD in accordance with 14 CFR 43.9 (a)(1)–(4) and 14 CFR 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439.

(h) Install Temporary Fuel Selector Placards

If improper (reversed clock positions) installation of the left and right fuel selector placards is found during the preflight check of the fuel selector cover required in paragraph (g) of this AD, before further flight, fabricate and install temporary left and right fuel selector placards using Part II of Piper SB No. 1309A, dated March 6, 2018. In lieu of installing the temporary placards required by this paragraph, you may install the permanent placards specified in paragraph (i) of this AD. An FAA-approved licensed mechanic authorized to do maintenance is required to do any fabrication and installation of the fuel selector placards required in this AD.

(i) Install Permanent Fuel Selector Placards

Within the next 100 hours time-in-service (TIS) after April 20, 2018 (the effective date of this AD), replace the temporary placard installed in paragraph (h) of this AD with permanent left and right fuel selector placards using Part III of Piper SB No. 1309A, dated March 6, 2018, unless already done in lieu of installing the temporary placards specified in paragraph (h) of this AD.

(j) Credit for Previous Actions

This AD allows credit for doing the actions required in paragraphs (g) through (i) of this AD using Piper Aircraft, Inc. Service Bulletin No. 1309, dated October 10, 2017, if done before the effective date of this AD in compliance with AD 2018-02-05.

(k) Special Flight Permit

A special flight permit is allowed for this AD per 14 CFR 39.23 with the following limitations: Flights are not to exceed a total of 100 hours TIS with temporary placards installed.

(l) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Atlanta ACO Branch, 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 certification office, send it to the attention of the person identified in paragraph (m) 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.

(3) AMOCs approved for AD 2018-02-05 are not approved as AMOCs for the corresponding provisions of this AD.

(m) Related Information

For more information about this AD, contact Boyce Jones, Aerospace Engineer, Atlanta ACO Branch, FAA, 1701 Columbia Avenue, College Park, Georgia 30337; phone: (404) 474-5535; fax: (404) 474-5606; email: boyce.jones@faa.gov.

(n) 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 this AD specifies otherwise.

(i) Piper Aircraft, Inc. Service Bulletin No. 1309A, dated March 6, 2018.

(ii) Reserved.

(3) For Piper Aircraft, Inc. service information identified in this AD, contact Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, FL 32960; telephone: (772) 567-4361; internet: www.piper.com/technical-publications-documents/.

(4) You may view this service information at FAA, Policy and Innovation Division, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

(5) 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>.

Appendix to AD 2018-07-03**Special Preflight Check**

Note: This action may be performed by the owner/operator (pilot) holding at least a private pilot certificate and must be entered into the airplane records showing compliance with AD 2018-07-03 in accordance with 14 CFR 43.9 (a)(1)–(4) and 14 CFR 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439. This action may also be performed by an FAA-approved licensed mechanic.

(1) Compare the currently installed fuel selector cover against the covers shown in Figure 2, View A–A:

(a) If the currently installed fuel selector cover *matches the cover* shown in Figure 2, View A–A, then proceed to Step 2.

(b) If the currently installed fuel selector cover *does not match the cover* shown Figure 2, View A–A (**Note:** *The fuel selector cover*

that does not match View A-A is a flat round plate without any features that limit the rotational travel of the fuel selector lever), then the remaining instructions in AD 2018-07-03 do not apply and no further action is required. Compliance with this part of AD 2018-07-03 must be documented by the

owner/operator (pilot) holding at least a private pilot certificate, and must be entered into the aircraft records showing compliance with this AD in accordance with 14 CFR 43.9(a)(1)-(4) and 14 CFR 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439.

Note: Documentation in the aircraft logbook should include: (1) Current Date (2) Tach Time (3) Statement that the comparison has been accomplished, including the AD number and Revision date (4) Sign and Print Name (5) Certificate Type & Number.

BILLING CODE 4910-13-P

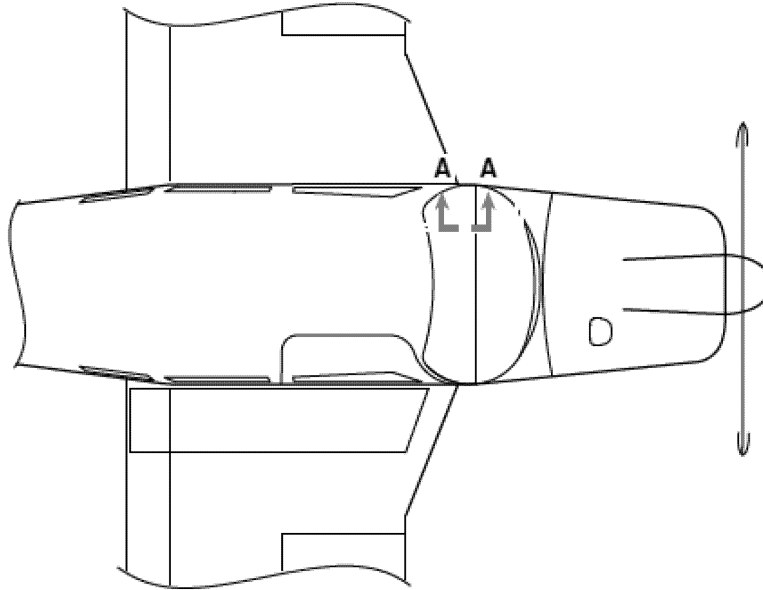
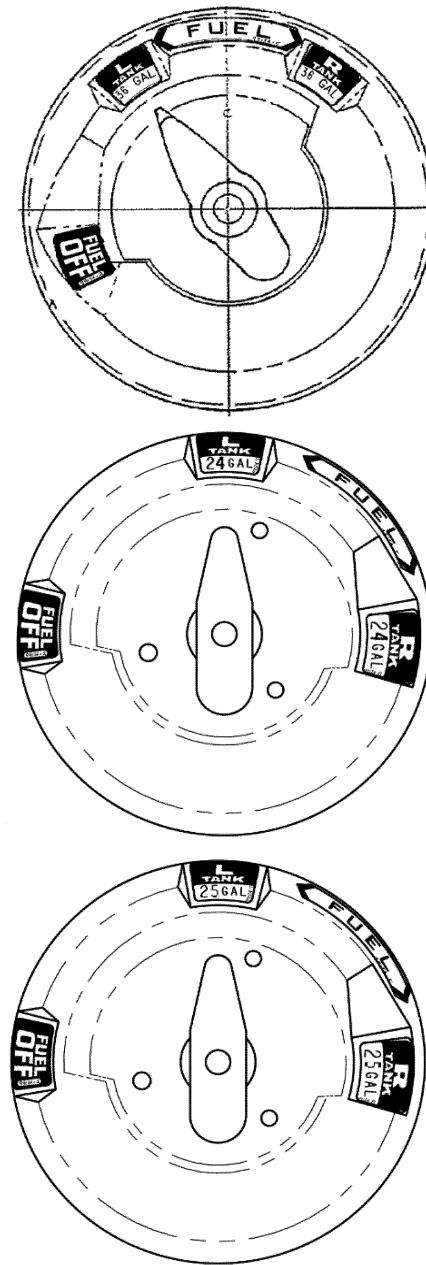


Figure 1 to the Appendix of AD 2018-07-03, Plane View Fuel Selector Cover Configurations – Location and Identification



Note: The pictures are exemplar only to indicate the position of the FUEL OFF, L TANK and R TANK orientation of the placards. The most important aspect of this comparison is the orientation of the FUEL OFF, L TANK, and R TANK placards.

Note: The fuel tank capacity stated on the L TANK and R TANK placards will vary by aircraft model, but the location of these placards with respect to the fuel selector cover must all conform to View A-A

Figure 2 to the Appendix of AD 2018-07-03, View A-A Fuel Selector Cover Configurations – Location and Identification

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(2) Compare the currently installed fuel selector cover to the illustration in Figure 2, View A-A. Examine all placards for proper placement, with specific emphasis on the

location of the placards labeled L TANK and R TANK.

Note: The fuel selector cover placard positions will vary. See Figure 2, View A-A.

(a) If the placards are in the proper locations, then no further action is required. Compliance with this part AD 2018-07-03 must be documented by the owner/operator (pilot) holding at least a private pilot

certificate, and must be entered into the aircraft records showing compliance with this AD in accordance with 14 CFR 43.9 (a)(1)–(4) and 14 CFR 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439.

Note: Documentation in the aircraft logbook should include: (1) Current Date (2) Tach Time (3) Statement that the comparison has been accomplished, including the AD number and Revision date (4) Sign and Print Name (5) Certificate Type & Number.

(b) If replacement is required, proceed to either paragraph (h) and (i) of AD 2018–07–03.

Issued in Kansas City, Missouri, on March 23, 2018.

Melvin J. Johnson,

Deputy Director, Policy & Innovation Division, Aircraft Certification Service.

[FR Doc. 2018–06336 Filed 4–4–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2016–9378; Airspace Docket No. 16–ASW–16]

Amendment, Revocation, and Establishment of Class D and E Airspace; Enid Vance AFB, OK; Enid Woodring Municipal Airport, OK; Enid, OK; and Vance AFB, OK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action: Removes the Class D airspace for Enid Woodring Municipal Airport, OK, and Enid Vance AFB, OK; establishes Class D airspace for Enid Woodring Regional Airport, Enid, OK, and Vance AFB, OK; amends the Class E airspace designated as a surface area for Enid Woodring Regional Airport; establishes Class E airspace designated as a surface area for Vance AFB; removes the Class E airspace designated as an extension of Class D and Class E surface areas at Enid Woodring Municipal Airport, OK, and Enid Vance AFB, OK; establishes Class E airspace designated as an extension of Class D and Class E surface areas at Enid Woodring Regional Airport and Vance AFB; and amends the Class E airspace extending upward from 700 feet above the surface at Enid Woodring Regional Airport and Vance AFB. Due to the differing operating hours of the two airports, the airspace descriptions are being separated for safety and management of instrument flight rules (IFR) operations at these airports. Additionally, airspace redesign is

necessary to accommodate new instrument procedures at Enid Woodring Regional Airport.

DATES: Effective 0901 UTC, July 19, 2018. 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 7400.11B, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at http://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11B at NARA, call (202) 741–6030, or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends Class D and Class E airspace in the Enid, OK, area to support IFR operations.

History

The FAA published a notice of proposed rulemaking in the **Federal Register** (82 FR 28794; June 26, 2017) for Docket No. FAA–2016–9378 to remove the Class D and Class E airspace

at Enid Woodring Municipal Airport, OK, and Enid Vance AFB, OK, and establish and amend Class D and E airspace at Enid Woodring Regional Airport, OK, and Vance AFB, OK, to enhance the safety and management of IFR operations at these airports. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class D and Class E airspace designations are published in paragraph 5000, 6002, 6004, and 6005, respectively, of FAA Order 7400.11B, dated August 3, 2017, and effective September 15, 2017, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

Differences From the NPRM

The description for the Class E airspace designated as an extension to Class D or Class E surface area at Enid Woodring Regional Airport, Enid, OK, has been updated to include the radial and width information for the extensions that was inadvertently omitted from the NPRM.

The description for the Class E airspace designated as an extension to Class D or Class E surface area at Vance AFB, OK, has been updated to include the radial and width information for the extensions that was inadvertently omitted from the NPRM.

The airspace description for the Class D airspace at Vance AFB, OK, has been simplified to provide a clearer description of the airspace.

The airspace description for the Class E airspace designated as a surface area at Vance AFB, OK, has been simplified to provide a clearer description of the airspace.

The eastern boundary for the Class E airspace area extending upward from 700 feet or more above the surface for Enid, OK, has been changed from “8.7 miles east and west of Vance AFB” to “9.1 miles east and 8.7 miles west of Vance AFB” to fully contain the new southern Class E airspace area designated as an extension to Class D or Class E surface areas at Enid Woodring Regional Airport within this airspace. Additionally, the exclusionary language in the airspace description is no longer required and has been removed.

Additionally, the geographic coordinates for Vance AFB are being updated to coincide with a recent change to the FAA aeronautical database.

Except for the changes noted above, the actions in this final rule are the same as published in the NPRM.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA Order 7400.11B is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11B lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

The FAA is amending Title 14 Code of Federal Regulations (14 CFR) part 71 by:

Removing the Class D airspace at Enid Vance AFB, OK;

Removing the Class D airspace at Enid Woodring Municipal Airport, OK;

Establishing Class D airspace at Enid Woodring Regional Airport, Enid, OK, within a 4.5-mile radius of the airport;

Establishing Class D airspace at Vance AFB, OK, within a 5.1-mile radius of the airport;

Amending the Class E airspace designated as a surface area within a 4.5-mile radius (increased from a 4.1-mile radius) of Enid Woodring Regional Airport, Enid, OK, removing the airspace within a 5.1-mile radius of Vance AFB, and removing references to Vance AFB from the airspace description;

Establishing Class E airspace designated as a surface area within a 5.1-mile radius of Vance AFB, OK;

Removing the Class E airspace designated as an extension to Class D or Class E surface area at Enid Vance AFB, OK;

Removing the Class E airspace designated as an extension to Class D or Class E surface area at Enid Woodring Municipal Airport, OK;

Establishing Class E airspace designated as an extension to Class D or Class E surface area at Enid Woodring Regional Airport, Enid, OK, within 2.4 miles each side of the 347° radial of the Woodring VOR/DME extending from the 4.5-mile radius of the airport to 7 miles north of the airport, and within 2.4 miles each side of the 177° radial of the Woodring VOR/DME extending from the 4.5-mile radius to 7 miles south of the airport;

Establishing Class E airspace designated as an extension to Class D or Class E surface area at Vance AFB, OK, with a segment 1.3 miles each side of the 188° radial of the Vance VORTAC

extending from the 5.1-mile radius to 6.1 miles south of the airport; and

Amending the Class E airspace extending upward from 700 feet above the surface at Enid, OK, within 9.1 miles east (increased from 8.7 miles) and 8.7 miles east of Vance AFB, and within a 7-mile radius (increasing from a 6.6-mile radius) of Enid Woodring Regional Airport, removing the Woodring VOR/DME extensions, and updating the name of the airport to coincide with the FAA's aeronautical database.

The FAA has determined that due to the differing operating hours of the two airports, the airspace descriptions should be separated for safety and management of IFR operations at these airports. Also, after an airspace review of the Enid Woodring Regional Airport, the FAA found airspace redesign was necessary at Enid Woodring Regional Airport to accommodate new instrument procedures at the airport and for the safety and management of IFR operations at this airport.

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 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

ASW OK D Enid Vance AFB, OK [Removed]

ASW OK D Enid Woodring Municipal Airport, OK [Removed]

* * * * *

ASW OK D Enid, OK [New]

Enid Woodring Regional Airport, OK
(Lat. 36°22'33" N, long. 97°47'22" W)

That airspace extending upward from the surface to and including 3,800 feet within a 4.5-mile radius of Enid Woodring Regional Airport, excluding that portion of airspace west of long. 97°51'01" W. 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.

* * * * *

ASW OK D Vance AFB, OK [New]

Vance AFB, OK
(Lat. 36°20'23" N, long. 97°55'02" W)

That airspace extending upward from the surface to and including 3,800 feet within a 5.1-mile radius of Vance AFB, excluding the Enid, OK, Class D and Class E airspace designated as surface areas. 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.

Paragraph 6002 Class E Airspace Designated as a Surface Area.

* * * * *

ASW OK E2 Enid, OK [Amended]

Enid Woodring Regional Airport, OK
(Lat. 36°22'33" N, long. 97°47'22" W)

That airspace within a 4.5-mile radius of Enid Woodring Regional Airport excluding that portion of airspace west of long.

97°51'01" W. This Class E 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.

* * * * *

ASW OK E2 Vance AFB, OK [New]

Vance AFB, OK

(Lat. 36°20'23" N, long. 97°55'02" W)

That airspace within a 5.1-mile radius of Vance AFB, excluding the Enid, OK, Class D and Class E airspace designated as surface areas. This Class E 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.

Paragraph 6004 Class E Airspace Areas Designated as an Extension to Class D or Class E Surface Areas.

* * * * *

ASW OK E4 Enid Vance AFB, OK [Removed]

ASW OK E4 Enid Woodring Municipal Airport, OK [Removed]

* * * * *

ASW OK E4 Enid, OK [New]

Enid Woodring Regional Airport, OK

(Lat. 36°22'33" N, long. 97°47'22" W)

Woodring VOR/DME

(Lat. 36°22'26" N, long. 97°47'17" W)

That airspace extending upward from the surface within 2.4 miles each side of the 347° radial of the Woodring VOR/DME extending from the 4.5-mile radius of Enid Woodring Regional Airport to 7 miles north of the airport, and within 2.4 miles each side of the 177° radial of the Woodring VOR/DME extending from the 4.5-mile radius of the airport to 7 miles south of the airport.

* * * * *

ASW OK E4 Vance AFB, OK [New]

Vance AFB, OK

(Lat. 36°20'23" N, long. 97°55'02" W)

Vance VORTAC

(Lat. 36°20'42" N, long. 97°55'06" W)

That airspace extending upward from the surface within 1.3 miles each side of the 188° radial of the Vance VORTAC extending from the 5.1-mile radius of Vance AFB to 6.1 miles south of the airport.

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

* * * * *

ASW OK E5 Enid, OK [Amended]

Vance AFB, OK

(Lat. 36°20'23" N, long. 97°55'02" W)

Enid Woodring Regional Airport, OK

(Lat. 36°22'33" N, long. 97°47'22" W)

That airspace extending upward from 700 feet above the surface within 9.1 miles east and 8.7 miles west of Vance AFB extending to 15.2 miles north and south of Vance AFB, and within a 7-mile radius of Enid Woodring Regional Airport.

Issued in Fort Worth, Texas, on March 28, 2018.

Walter Tweedy,

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

[FR Doc. 2018-06756 Filed 4-4-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2018-0178; Airspace Docket No. 17-AWA-3]

RIN 2120-AA66

Amendment of Class B Airspace Description; St. Louis, MO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, technical amendment.

SUMMARY: This action amends the description of the St. Louis, MO, Class B airspace area by changing the references for defining the center point of the airspace from the Cardinal VHF Omnidirectional Range/Distance Measuring Equipment (VOR/DME) to "Point of Origin" due to the planned decommissioning of the Cardinal, MO, VOR/DME. The St. Louis Class B airspace description is edited further to update the St. Louis Lambert International Airport name, St. Charles County Smartt Airport name, and airport reference point (ARP) geographic coordinates for the airports to match the current information in the FAA's aeronautical database. The Creve Coeur Airport ARP and St. Louis Lambert International Airport Instrument Landing System (ILS) Runway 30L Localizer geographic coordinates are also updated to match the FAA's aeronautical database. In addition, the airspace description is edited throughout to improve accuracy and clarity. These changes are editorial only and do not alter the current charted boundaries, altitudes, or ATC procedures for the St. Louis, MO, Class B airspace area.

DATES: *Effective date:* 0901 UTC, June 21, 2018. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11B, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at <http://www.faa.gov/>

air traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11B at NARA, call (202) 741-6030, or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT:

Colby Abbott, Airspace Policy Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

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 the 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 makes editorial corrections to an existing Class B airspace description to maintain accuracy.

History

The St. Louis Class B airspace area was established as a "Terminal Control Area (TCA)" on January 1, 1974 (38 FR 31286, November 13, 1973). In 1993, as part of the Airspace Reclassification Final Rule (56 FR 65638, December 17, 1991), the term "terminal control area" was replaced by "Class B airspace area." When the St. Louis TCA was established, the airspace was designed using the latitude/longitude position of the ASR antenna on the St. Louis International Airport as the center point. In 2006, the FAA amended the, then, St. Louis Class B airspace to ensure containment of large, turbine-powered aircraft operations to and from the "new" Runway 11/29 at the Lambert-St. Louis International Airport (71 FR 7848,

February 15, 2006). At the same time, the Class B airspace was reconfigured to use the Cardinal VOR/DME as the center point.

As part of the FAA's VOR Minimum Operating Network (VOR MON) program¹, the Cardinal VOR was initially identified as a candidate VOR for discontinuance and is now planned for decommissioning on November 8, 2018. So there will be no change to the existing charted boundaries of the St. Louis Class B airspace area on Visual Flight Rules (VFR) aeronautical charts, the FAA is retaining the same geographic latitude/longitude coordinates of the Cardinal VOR/DME location as the center point for the Class B airspace. To accomplish this, all references to the Cardinal VOR/DME in the St. Louis Class B airspace description (as published in FAA Order 7400.11B) are replaced by "Point of Origin." This practice is consistent with other Class B airspace locations that do not have a suitable navigation aid located on the airport.

Additionally, the FAA is making several other administrative updates to the Class B description to enhance the accuracy of the description and to clearly define each of the sub-areas that make up the Class B airspace area.

Class B airspace designations are published in paragraph 3000 of FAA Order 7400.11B, dated August 3, 2017, and effective September 15, 2017, which is incorporated by reference in 14 CFR 71.1. The Class B airspace designations listed in this document will be subsequently published in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA Order 7400.11B is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11B lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

The FAA is amending Title 14 Code of Federal Regulations (14 CFR) part 71 by editing the description of the St. Louis, MO, Class B airspace (as published in FAA Order 7400.11B) to

remove references to the "Cardinal VOR/DME" and replace them with "Point of Origin" for defining the center point of the airspace. The Point of Origin uses the same geographic latitude/longitude coordinates of the Cardinal VOR/DME location. The FAA is taking this action so that the currently charted boundaries of the Class B airspace area are not affected by the planned decommissioning of the Cardinal VOR/DME.

The Class B airspace description is also edited to update the "Lambert-St. Louis International Airport" name to "St. Louis Lambert International Airport" and the "St. Charles Municipal Airport" name to "St. Charles County Smartt Airport." Additionally, the geographic coordinates for the St. Louis Lambert International Airport ARP are updated from "lat. 38°44'50" N., long. 90°21'41" W." to "lat. 38°44'55" N., long. 90°22'12" W."; the geographic coordinates for the St. Charles County Smartt Airport ARP are updated from "lat. 38°50'55" N., long. 90°30'00" W." to "lat. 38°55'47" N., long. 90°25'48" W."; the geographic coordinates for the Creve Coeur Airport ARP are updated from "lat. 38°43'36" N., long. 90°30'30" W." to "lat. 38°43'38" N., long. 90°30'30" W."; and the geographic coordinates for the St. Louis Lambert International Airport ILS Runway 30L Localizer are updated from "lat. 38°45'17" N., long. 90°22'52" W." to "lat. 38°45'19" N., long. 90°22'56" W." These airport name and geographic coordinate updates are made to match the data currently contained in the FAA's aeronautical database.

Lastly, the Class B airspace description is also edited to describe each existing sub-area as an independent area to improve the clarity of the Class B airspace area description overall.

Because this action is a minor editorial change that does not alter the currently charted boundaries, altitudes, or ATC procedures for the St. Louis Lambert International Airport, I find that notice and public procedure under 5 U.S.C § 553(b) are unnecessary and contrary to the public interest.

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. Therefore, this regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (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 of amending the description of the St. Louis, MO, Class B airspace area by changing the references for defining the center point of the airspace from the Cardinal VHF Omnidirectional Range/Distance Measuring Equipment (VOR/DME) to "Point of Origin" due to the planned decommissioning of the Cardinal, MO, VOR/DME, qualifies for categorical exclusion under the National Environmental Policy Act and its agency-specific implementing regulations in FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures" regarding categorical exclusions for procedural actions at paragraph 5–6.5.a, which categorically excludes from full environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points. This airspace action is an editorial change only and is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, this action has been reviewed for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis, and it is determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List 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 14 CFR part 71 continues to read as follows:

¹ Listed in the Final policy statement notice, "Provision of Navigation Services for the Next Generation Air Transportation System (NextGen) Transition to Performance-Based Navigation (PBN) (Plan for Establishing a VOR Minimum Operational Network)," published in the **Federal Register** of July 26, 2016 (81 FR 48694).

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 7400.11B, Airspace Designations and Reporting Points, signed August 3, 2017, and effective September 15, 2017, is amended as follows:

Paragraph 3000 Subpart B—Class B Airspace.

* * * * *

ACE MO B St. Louis, MO

St. Louis Lambert International Airport, MO (Primary Airport)

(Lat. 38°44'55" N, long. 90°22'12" W)

Creve Coeur Airport, MO

(Lat. 38°43'38" N, long. 90°30'30" W)

St. Charles County Smartt Airport, MO

(Lat. 38°55'47" N, long. 90°25'48" W)

Point of Origin

(Lat. 38°45'10" N, long. 90°21'39" W)

Foristell VORTAC

(Lat. 38°41'40" N, long. 90°58'17" W)

ILS Runway 30L Localizer

(Lat. 38°45'19" N, long. 90°22'56" W)

Boundaries

Area A. That airspace extending upward from the surface to and including 8,000 feet MSL within a 6-NM radius of the Point of Origin, excluding that airspace within a 1.5-NM radius of the Creve Coeur Airport.

Area B. That airspace extending upward from 1,700 feet MSL to and including 8,000 feet MSL within an area bounded by a line beginning at the intersection of the 6-NM radius of the Point of Origin and Page Avenue; then northwest along Page Avenue to intersect Missouri Route 94; then west along Missouri Route 94 to intersect the 10-NM radius of the Point of Origin; then clockwise along the 10-NM radius of the Point of Origin to intersect the power lines located 2-NM north of the St. Charles County Smartt Airport; then southeast along the power lines to intersect the 6-NM radius of the Point of Origin; then counterclockwise along the 6-NM radius of the Point of Origin to intersect the 1.5-NM radius of the Creve Coeur Airport; then clockwise along the 1.5-NM radius of the Creve Coeur Airport to intersect the 6-NM radius of the Point of Origin; then counterclockwise along the 6-NM radius of the Point of Origin to the point of beginning.

Area C. That airspace extending upward from 2,000 feet MSL to and including 8,000 feet MSL within an area bounded by a line beginning at the intersection of the 10-NM radius of the Point of Origin and the power lines located 2-NM north of the St. Charles

County Smartt Airport; then clockwise along the 10-NM radius of the Point of Origin to intersect Interstate 64; then west along Interstate 64 to intersect the 10-NM radius of the Point of Origin; then clockwise along the 10-NM radius of the Point of Origin to intersect Missouri Route 94; then eastward along Missouri Route 94 to intersect Page Avenue; then eastward along Page Avenue to intersect the 6-NM radius of the Point of Origin; then counterclockwise along the 6-NM radius of the Point of Origin to intersect the power lines located 6-NM north of the St. Louis Lambert International Airport; then westward along the power lines to the point of beginning.

Area D. That airspace extending upward from 2,500 feet MSL to and including 8,000 feet MSL within an area bounded by a line beginning at the intersection of the 10-NM radius of the Point of Origin and Interstate 64, then east along Interstate 64 to intersect the 10-NM radius of the Point of Origin, then clockwise along the 10-NM radius of the Point of Origin to the point of beginning.

Area E. That airspace extending upward from 3,000 feet MSL to and including 8,000 feet MSL within a 15-NM radius of the Point of Origin, excluding Area A, Area B, Area C, and Area D.

Area F. That airspace extending upward from 3,500 feet MSL to and including 8,000 feet MSL within an area bounded by a line beginning at the intersection of Interstate 64 and the 20-NM radius of the Point of Origin; then clockwise along the 20-NM radius of the Point of Origin to the intersection of the 20-NM radius of the Point of Origin and the island in the Illinois River (Lat. 39°02'25" N, long. 90°34'40" W); then southwest along a line direct to the intersection of the 15-NM radius and 340° bearing of the Point of Origin; then counterclockwise along the 15-NM radius of the Point of Origin to intersect Interstate 64, then northwest along Interstate 64 to the point of beginning.

Area G. That airspace extending upward from 3,500 feet MSL to and including 8,000 feet MSL within an area bounded by a line beginning at the intersection of Interstate 270 and the 20-NM radius of the Point of Origin; then clockwise along the 20-NM radius of the Point of Origin to intersect Illinois Route 3; then northwest along Illinois Route 3 to intersect Interstate 255; then northwest along Interstate 255 to intersect the 15-NM radius of the Point of Origin; then counterclockwise along the 15-NM radius of the Point of Origin to intersect Interstate 270, then east

along Interstate 270 to the point of beginning.

Area H. That airspace extending upward from 4,500 feet MSL to and including 8,000 feet MSL within an area bounded by a line beginning at the intersection of the 20-NM radius and the 92° radial of the Point of Origin; then southeast along a line direct to the intersection of the 30-NM radius and 100° bearing of the Point of Origin; then clockwise along the 30-NM radius of the Point of Origin to intersect a point located 11.6-NM perpendicular and southwest of the ILS Runway 30L localizer signal (lat. 38°20'21" N, long. 90°00'07" W); then northwest direct to the intersection of Illinois Route 3 (Columbia, IL) and the 20-NM radius of the Point of Origin; then counterclockwise along the 20-NM radius of the Point of Origin to the point of beginning;

Area J. That airspace extending upward from 4,500 feet MSL to and including 8,000 feet MSL within an area bounded by a line beginning at the intersection of the 30-NM radius and 320° bearing of the Point of Origin; then southeast along a line direct to the intersection of the 20-NM radius of the Point of Origin and the island in the middle of the Illinois River (lat. 39°02'25" N, long. 90°34'40" W); then counterclockwise along 20-NM radius of the Point of Origin to intersect the 277° bearing of the Point of Origin; then along a line northwest direct to the intersection of the 30-NM radius and 286° bearing of the Point of Origin; then clockwise along the 30-NM radius of the Point of Origin to the point of beginning.

Area K. That airspace extending upward from 5,000 feet MSL to and including 8,000 feet MSL within an area bounded by a line beginning at the intersection of the 20-NM radius of the Point of Origin and the island in the middle of the Illinois River (lat. 39°02'25" N, long. 90°34'40" W); then clockwise along 20-NM radius of the Point of Origin to intersect Interstate 270; then west along Interstate 270 to intersect the 15-NM radius of the Point of Origin; then counterclockwise along the 15-NM radius of the Point of Origin to the intersection of the 15-NM radius and the 340° bearing of the Point of Origin; then northwest along a line direct to the point of beginning.

Area L. That airspace extending upward from 5,000 feet MSL to and including 8,000 feet MSL within an area bounded by a line beginning at the intersection of the 20-NM radius of the Point of Origin and Interstate 64; then southeast along Interstate 64 to intersect the 15-NM radius of the Point of Origin;

then counterclockwise along the 15-NM radius of the Point of Origin to intersect Interstate 255; then southeast along Interstate 255 to intersect Illinois Route 3; then southeast along Illinois Route 3 to intersect the 20-NM radius of the Point of Origin; then clockwise along the 20-NM radius of the Point of Origin to the point of beginning.

Area M. That airspace extending upward from 5,000 feet MSL to and

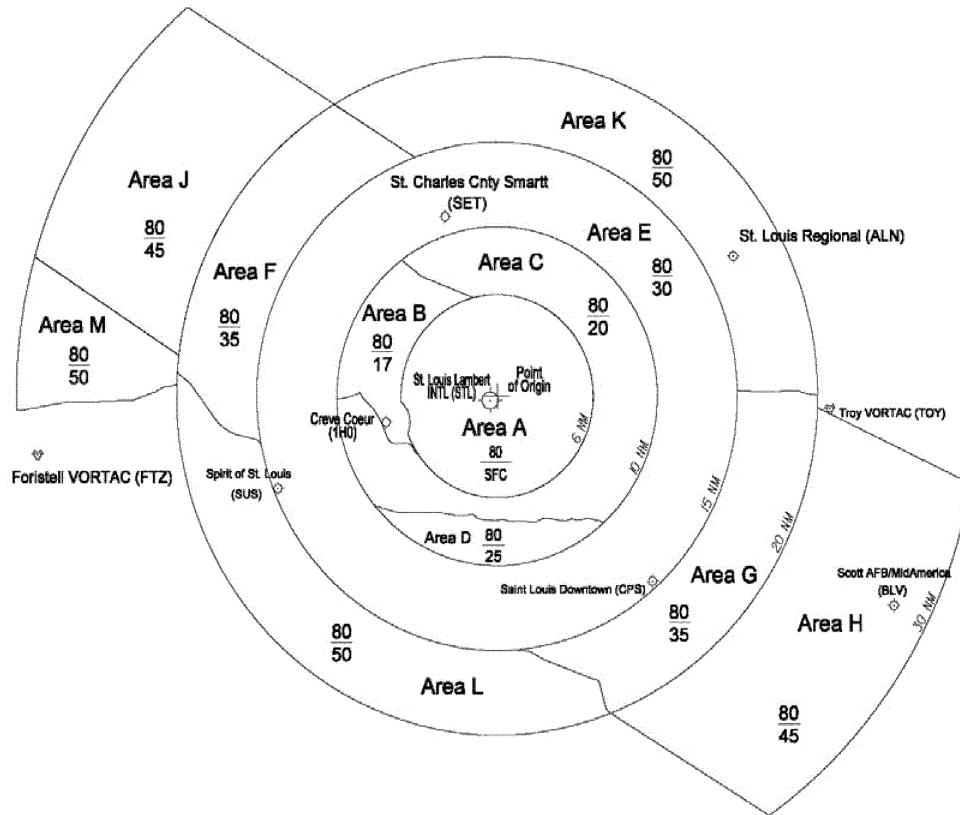
including 8,000 feet MSL within an area bounded by a line beginning at the intersection of the 30-NM radius and 286° bearing of the Point of Origin; then southeast along a line direct to the intersection of the 20-NM radius and 277° bearing of the Point of Origin; then counterclockwise along the 20-NM radius of the Point of Origin to intersect the power lines located 2.5-NM northwest of the Foristell VORTAC;

then west along the power lines to intersect the 30-NM radius of the Point of Origin; then clockwise along the 30-NM radius of the Point of Origin to the point of beginning.

Issued in Washington, DC, on March 28, 2018.

Rodger A. Dean, Jr.,
 Manager, Airspace Policy Group.

ST. LOUIS, MO CLASS B AIRSPACE AREA



**NOT TO BE USED FOR NAVIGATION
 17-AWA-3**

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2014-0839; Airspace
Docket No. 14-AEA-7]

**Amendment of Class E Airspace;
Selinsgrove, PA**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule, correction.

SUMMARY: This action corrects a final rule published in the **Federal Register** on March 5, 2018, amending Class E airspace at Penn Valley Airport, Selinsgrove, PA, by correcting the geographic coordinates of the airport. This is an administrative change to coincide with the FAA's aeronautical database.

DATES: Effective 0901 UTC, May 24, 2018. 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.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; telephone (404) 305-6364.

SUPPLEMENTARY INFORMATION:**History**

The FAA published a final rule in the **Federal Register** (83 FR 9181, March 5, 2018) for Docket No. FAA-2014-0839 amending Class E airspace area extending upward from 700 feet or more above the surface at Penn Valley Airport, Selinsgrove, PA. Subsequent to publication, the FAA identified a clerical error in the legal description of the airport. This action corrects the geographic coordinates from '(Lat. 40°49'16" N., long. 76°51'551" W.)'; to '(Lat. 40°49'16" N., long. 76°51'51" W.)'.

Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, in the **Federal Register** of March 5, 2018 (83 FR 9181) FR Doc. FAA-2014-0839, Amendment of Class E Airspace for Penn Valley Airport, Selinsgrove, PA, is corrected as follows:

§71.1 [Amended]**AEA PA E5 Selinsgrove, PA
[Corrected]**

On page 9182, column 3, line 27, remove
'(Lat. 40°49'16" N., long. 76°51'551"
W.)', and in its place,
'(Lat. 40°49'16" N., long. 76°51'51" W.)',

Issued in College Park, Georgia, on March 27, 2018.

Ryan W. Almasy

*Manager, Operations Support Group, Eastern
Service Center, Air Traffic Organization.*

[FR Doc. 2018-06754 Filed 4-4-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF COMMERCE**Bureau of Industry and Security****15 CFR Part 774**

[Docket No. 160303184-8255-01]

RIN 0694-AG90

**Reclassification of Targets for the
Production of Tritium and Related
Development and Production
Technology Initially Classified Under
the 0Y521 Series**

AGENCY: Bureau of Industry and
Security, Commerce.

ACTION: Final rule.

SUMMARY: In this rule, the Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) to impose a license requirement on exports and reexports of specified target assemblies and components for the production of tritium under new Export Control Classification Number (ECCN) 1A231, and for the related "production" technology for 1A231 commodities covered under ECCNs 1E001 and 1E201. The items identified in this rule are controlled for nuclear nonproliferation (NP) Column 1 and anti-terrorism (AT) Column 1 reasons. These new classifications are the result of a U.S. Government proposal submitted and agreed to by members of the relevant multilateral regime, the Nuclear Suppliers Group (NSG), in June 2017. This final rule, as required under the 0Y521 procedure and in fulfillment of multilateral commitments, implements the multilateral control for the items adopted by the NSG.

DATES: This rule is effective April 5, 2018.

FOR FURTHER INFORMATION CONTACT: Steven Clagett, Director, Nuclear and Missile Technology Controls Division, Office of Nonproliferation and Treaty

Compliance, by phone at (202) 482-1641, or by email at *Steven.Clagett@bis.doc.gov*.

SUPPLEMENTARY INFORMATION:**Background**

In 2012, BIS established the temporary classification ECCN 0Y521 series (encompassing ECCNs 0A521, 0B521, 0C521, 0D521, and 0E521) to identify items that warrant control on the Commerce Control List (CCL) because the items provide at least a significant military or intelligence advantage to the United States or for foreign policy reasons, but are not yet identified in an existing ECCN (77 FR 22191; April 13, 2012).

The license requirements and policies for the ECCN 0Y521 series appear in § 742.6(a)(7) of the EAR, and items classified under the series appear in supplement No. 5 to part 774. Consistent with the procedure established in the April 13, 2012, rule, the Department of Commerce, with the concurrence of the Departments of Defense and State and in consultation with the Department of Energy, determined that targets made of or containing lithium "specially designed" for the production of tritium by insertion in the core of a nuclear reactor ("targets") and the related "development" and "production" technology met the criteria for inclusion in the series. Controls on the targets and related technologies under 0Y521 series ECCNs 0A521 and 0E521, respectively, were published in an interim final rule, with request for comments, on August 8, 2016 (81 FR 52326). The items were controlled for regional stability (RS) Column 1 reasons to all destinations except Canada, and a case-by-case review policy applied to license applications. The only license exception available for these items was License Exception GOV (Governments, international organizations, international inspections under the Chemical Weapons Convention, and the International Space Station (GOV)), which applies to all ECCN 0Y521 items if within the scope of § 740.11(b)(2)(ii) (Exports, reexports, and transfers (in-country) made by or consigned to a department or agency of the U.S. Government), as provided in § 740.2(a)(14). See also supplement No. 5 to part 774. BIS did not receive any comments in response to the August 8, 2016 rule.

Subsequent to the 0Y521 classification, and, as required by § 742.6(a)(7)(iii), within one calendar year of the August 8, 2016 rule providing for the temporary 0Y521

series classification, the U.S. Government submitted a proposal to the NSG seeking a longer-term, multilateral classification for the targets and related technologies. The NSG adopted the United States' proposal. Therefore, as required under the 0Y521 ECCN series procedure and to fulfill the multilateral commitment made at the NSG, this final rule formally implements the adoption of a nuclear nonproliferation (NP) control for the items mentioned. This rule also implements an anti-terrorism (AT) control on the items.

Targets for the Production of Tritium and Related "Development" and "Production" Technology Initially Classified Under the 0Y521 Series Reclassified to a Nuclear Nonproliferation Multilateral Control Under the EAR

License Requirements

In this rule, BIS amends the EAR to add a new ECCN, 1A231, for specified target assemblies and components for the production of tritium, and to impose a license requirement on exports and reexports of items classified thereunder. ECCN 1A231 will be inserted between ECCNs 1A227 and 1A290 on the CCL. Specifically, this rule imposes a license requirement on exports and reexports of such items if they are either (a.) target assemblies made of or containing lithium enriched in the lithium-6 isotope "specially designed" for the production of tritium through irradiation, including insertion in a nuclear reactor; or (b.) components "specially designed" for the target assemblies specified in Item paragraph a. of new ECCN 1A231. A Technical Note to paragraph b. provides that components "specially designed" for target assemblies for the production of tritium may include lithium pellets, tritium getters, and specially-coated cladding.

In addition, pursuant to this rule, the related "production" technology for the items controlled under the new ECCN 1A231 entry is classified under existing ECCNs 1E001 and 1E201. Consequently, a reference to ECCN 1A231 has been added to the headings of ECCN 1E001 and ECCN 1E201 and to the License Requirements section of ECCN 1E001. The items classified under new ECCN 1A231 and under existing ECCNs 1E001 and 1E201 in this rule are controlled for nuclear nonproliferation (NP) Column 1 and anti-terrorism (AT) Column 1 reasons.

License Exceptions

License Exception availability for items specified under new ECCN

1A231, and the related technology specified under existing ECCNs 1E001 and 1E201, is consistent with Category 1 NP controlled end items and related technology and provisions, as described in § 742.3 of the EAR.

Licensing Policy

Applications for licenses to export and reexport the target assemblies and components covered under ECCN 1A231 and the related technology controlled under ECCNs 1E001 and 1E201 will be reviewed using the factors described in paragraph (b)—Licensing policy—of § 742.3 of the EAR, which include: The appropriateness of the stated end-use, including specifically for the stated end-user; the items' significance for nuclear purposes; whether the items are to be used in certain specified types of research; the types of assurances or guarantees given against use for nuclear explosive purposes or proliferation; whether any party to the transaction has been engaged in clandestine or illegal procurement activities; whether an application for a license to export or reexport to the end-user has previously been denied or whether the end-user has previously diverted items to unauthorized activities which were received under a license, a license exception, or shipped with no license required; whether the transaction would present an unacceptable risk of diversion to a nuclear explosive activity or unsafeguarded nuclear fuel-cycle activity, as described in § 744.2(a) of the EAR; and consideration of factors related to the nonproliferation credentials of the importing country.

Conforming Amendment

Finally, in this rule, BIS amends the EAR to make a conforming change. Specifically, BIS amends supplement No. 5 to part 774—Items Classified Under ECCNs 0A521, 0B521, 0C521, 0D521 and 0E521—to remove the existing references to the targets under "0A521. Systems, Equipment and Components.", and the related technology under "0E521. Technology."

Export Administration Act

Although the Export Administration Act of 1979 expired on August 20, 2001, the President, through Executive Order 13222 of August 17, 2001, 3 CFR, 2001 Comp., p. 783 (2002), as amended by Executive Order 13637 of March 8, 2013, 78 FR 16129 (March 13, 2013) and as extended by the Notice of August 15, 2017, 82 FR 39005 (August 16, 2017), has continued the Export Administration Regulations in effect under the International Emergency

Economic Powers Act. BIS continues to carry out the provisions of the Export Administration Act of 1979, as appropriate and to the extent permitted by law, pursuant to Executive Order 13222, as amended by Executive Order 13637.

Rulemaking Requirements

1. Executive Orders 13563 and 12866 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distribute impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has been determined to be not significant for purposes of Executive Order 12866. This rule is not an Executive Order 13771 regulatory action because this rule is not significant under Executive Order 12866.

2. Notwithstanding any other provision of law, no person is 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 of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid OMB control number. This rule affects two approved collections: (1) The Simplified Network Application Processing + System (control number 0694-0088), which carries a burden hour estimate of 43.8 minutes manual or electronic and includes, among other things, license applications; and (2) License Exceptions and Exclusions (control number 0694-0137). BIS does not believe that this rule will materially increase the number of submissions under these collections. Send comments regarding this burden estimate or any other aspect of these collections of information, including suggestions for reducing the burden, to Jasmeet K. Seehra, Office of Management and Budget, by email at jseehra@omb.eop.gov or by fax to (202) 395-7285 and to Steven Clagett, BIS, at Steven.Clagett@bis.doc.gov.

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

4. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring prior notice, the opportunity for public comment and a delay in effective date are inapplicable

because this regulation involves a military or foreign affairs function of the United States (*See* 5 U.S.C. 553(a)(1)). BIS, with the concurrence of the U.S. Departments of Defense and State, and after consultation with the Department of Energy, is implementing this rule which identifies items to be controlled for nuclear nonproliferation and anti-terrorism reasons. This action fulfills the United States' commitment to implement controls agreed to and adopted by members (including the United States) of the relevant multilateral regime (the Nuclear Suppliers Group). These items were previously and temporarily classified for regional stability reasons under the ECCN 0Y521 series, indicating that the above-referenced agencies determined that the items should be controlled for export because the items provide at least a significant military or intelligence advantage to the United States or for foreign policy reasons. This rule is necessary to effect the nuclear nonproliferation and anti-terrorism foreign policy goals of the United States, and therefore to ensure the security interests of the United States. Implementation upon publication will allow BIS to continue to prevent exports of these items to users and for uses that pose a threat to the United States or its allies. If BIS delayed this rule to allow for prior notice and opportunity for public comment, the resulting delay in implementation, instead of immediate implementation simultaneous with formal removal of the temporary 0Y521 ECCN from supplement No. 5 to part 774, increases the opportunity for the export of these items to users and uses that pose a proliferation threat, thereby undermining the purpose of the initial rule and this subsequent rule. This rule serves, appropriately, as notice to the public of the longer-term control of the items mentioned.

Further, BIS finds good cause to waive the 30-day delay in effectiveness under 5 U.S.C. 553(d)(3). Immediate implementation of these changes, based upon a description agreed to by the U.S. and its multilateral export control regime allies, will allow BIS to continue to prevent exports of these items to users and for uses that pose threats to the security interests to the United States or its allies particularly in relation to nuclear nonproliferation and anti-terrorism. If BIS delayed this rule to allow for a 30-day delay in effectiveness, the resulting delay in implementation would afford an opportunity for the export of these items to users and uses that pose such threats, thereby undermining the purpose of the

rule. In addition, no comments were submitted in response to the preceding interim final rule of August 8, 2016 (81 FR 52326). Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are not applicable. Accordingly, no regulatory flexibility analysis is required and none has been prepared.

List of Subjects in 15 CFR Part 774

Exports, Reporting and recordkeeping requirements.

Accordingly, part 774 of the Export Administration Regulations (15 CFR parts 730–774) is amended as follows:

PART 774—[AMENDED]

■ 1. The authority citation for 15 CFR part 774 continues to read as follows:

Authority: 50 U.S.C. 4601 *et seq.*; 50 U.S.C. 1701 *et seq.*; 10 U.S.C. 7420; 10 U.S.C. 7430(e); 22 U.S.C. 287c, 22 U.S.C. 3201 *et seq.*; 22 U.S.C. 6004; 42 U.S.C. 2139a; 15 U.S.C. 1824a; 50 U.S.C. 4305; 22 U.S.C. 7201 *et seq.*; 22 U.S.C. 7210; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 15, 2017, 82 FR 39005 (August 16, 2017).

■ 2. In supplement No. 1 to part 774, Category 1, add Export Control Classification Number (ECCN) 1A231 between ECCNs 1A227 and 1A290 to read as follows:

Supplement No. 1 to Part 774—The Commerce Control List

* * * * *

1A231 Target assemblies and components for the production of tritium as follows (See List of Items Controlled):

License Requirements

Reason for Control: NP, AT

<i>Control(s)</i>	<i>Country chart (see supplement No. 1 to part 738)</i>
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NP applies to entire entry. AT applies to entire entry.	NP Column 1 AT Column 1
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List Based License Exceptions (See Part 740 for a Description of All License Exceptions)

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

List of Items Controlled

Related Controls: See ECCNs 1E001 (“production”) and 1E201 (“use”) for technology for items controlled by this entry.

Related Definitions: N/A
Items:

a. Target assemblies made of or containing lithium enriched in the lithium-6 isotope “specially designed” for the “production” of tritium through irradiation, including insertion in a nuclear reactor;

b. Components “specially designed” for the target assemblies specified in item a.

Technical Note to ECCN 1A231.b.:

Components “specially designed” for target assemblies for the “production” of tritium may include lithium pellets, tritium getters, and specially-coated cladding.

■ 3. In supplement No. 1 to part 774, Category 1, Export Control Classification Number (ECCN) 1E001 is revised to read as follows:

1E001 “Technology” according to the General Technology Note for the “development” or “production” of items controlled by 1A002, 1A003, 1A004, 1A005, 1A006.b, 1A007, 1A008, 1A101, 1A231, 1B (except 1B608, 1B613 or 1B999), or 1C (except 1C355, 1C608, 1C980 to 1C984, 1C988, 1C990, 1C991, 1C995 to 1C999).

License Requirements

Reason for Control: NS, MT, NP, CB, RS, AT

<i>Control(s)</i>	<i>Country chart (see supp. No. 1 to part 738)</i>
NS applies to “technology” for items controlled by 1A002, 1A003, 1A005, 1A006.b, 1A007, 1B001 to 1B003, 1B018, 1C001 to 1C011, or 1C018.	NS Column 1
NS applies to “technology” for items controlled by 1A004.	NS Column 2
MT applies to “technology” for items controlled by 1A101, 1B001, 1B101, 1B102, 1B115 to 1B119, 1C001, 1C007, 1C011, 1C101, 1C102, 1C107, 1C111, 1C116, 1C117, or 1C118 for MT reasons.	MT Column 1
NP applies to “technology” for items controlled by 1A002, 1A007, 1A231, 1B001, 1B101, 1B201, 1B225, 1B226, 1B228 to 1B234, 1C002, 1C010, 1C111, 1C116, 1C202, 1C210, 1C216, 1C225 to 1C237, or 1C239 to 1C241 for NP reasons.	NP Column 1

<i>Control(s)</i>	<i>Country chart (see supp. No. 1 to part 738)</i>
CB applies to “technology” for items controlled by 1C351, 1C353, or 1C354.	CB Column 1
CB applies to “technology” for materials controlled by 1C350 and for chemical detection systems and dedicated detectors therefor, in 1A004.c, that also have the technical characteristics described in 2B351.a.	CB Column 2
RS applies to technology for equipment controlled in 1A004.d.	RS Column 2
AT applies to entire entry.	AT Column 1

Reporting Requirements

See § 743.1 of the EAR for reporting requirements for exports under License Exceptions, and Validated End-User authorizations.

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

CIV: N/A

TSR: Yes, except for the following:

- (1) Items controlled for MT reasons; or
- (2) Exports and reexports to destinations outside of those countries listed in Country Group A:5 (See Supplement No. 1 to part 740 of the EAR) of “technology” for the “development” or production” of the following:
 - (a) Items controlled by 1C001; or
 - (b) Items controlled by 1A002.a which are composite structures or laminates having an organic “matrix” and being made from materials listed under 1C010.c or 1C010.d.

Special Conditions for STA

STA: License Exception STA may not be used to ship or transmit “technology” according to the General Technology Note for the “development” or “production” of equipment and materials specified by ECCNs 1A002, 1C001, 1C007.c or d, 1C010.c or d or 1C012 to any of the destinations listed in Country Group A:6 (See Supplement No.1 to part 740 of the EAR).

List of Items Controlled

Related Controls (1) Also see ECCNs 1E101, 1E201, and 1E202. (2) See ECCN 1E608 for “technology” for items classified under ECCN 1B608 or 1C608 that, immediately prior to July 1, 2014, were classified under ECCN 1B018.a or 1C018.b through .m (note that ECCN 1E001 controls “development” and “production” “technology” for chlorine trifluoride controlled by ECCN 1C111.a.3.f—see ECCN 1E101 for controls on “use” “technology” for chlorine trifluoride). (3) See ECCN 1E002.g for control libraries (parametric technical

databases) “specially designed” or modified to enable equipment to perform the functions of equipment controlled under ECCN 1A004.c (Nuclear, biological and chemical (NBC) detection systems) or ECCN 1A004.d (Equipment for detecting or identifying explosives residues). (4) “Technology” for lithium isotope separation (see related ECCN 1B233) and “technology” for items described in ECCN 1C012 are subject to the export licensing authority of the Department of Energy (see 10 CFR part 810). (5) “Technology” for items described in ECCN 1A102 is “subject to the ITAR” (see 22 CFR parts 120 through 130).
Related Definitions: N/A
Items: The list of items controlled is contained in the ECCN heading.

■ 4. In supplement No. 1 to part 774, Category 1, Export Control Classification Number (ECCN) 1E201 is revised to read as follows:

1E201 “Technology” according to the General Technology Note for the “use” of items controlled by 1A002, 1A007, 1A202, 1A225 to 1A227, 1A231, 1B201, 1B225, 1B226, 1B228 to 1B232, 1B233.b, 1B234, 1C002.b.3 and b.4, 1C010.a, 1C010.b, 1C010.e.1, 1C202, 1C210, 1C216, 1C225 to 1C237, 1C239 to 1C241 or 1D201.

License Requirements

Reason for Control: NP, AT

<i>Control(s)</i>	<i>Country chart (see supp. No. 1 to part 738)</i>
NP applies to entire entry, for items controlled for NP reasons.	NP Column 1
AT applies to entire entry.	AT Column 1

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

CIV: N/A

TSR: N/A

List of Items Controlled

Related Controls: N/A

Related Definitions: N/A

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

Supplement No. 5 to Part 774 [Amended]

■ 5. Amend supplement No. 5 to part 774 by removing and reserving entries for item “No. 1” under the subheading “0A521. Systems, Equipment and Components.”, and for item “No. 1” under the subheading “0E521. Technology.”

Dated: March 30, 2018.

Matthew S. Borman,
Deputy Assistant Secretary for Export Administration.

[FR Doc. 2018–06985 Filed 4–4–18; 8:45 am]

BILLING CODE 3510–33–P

FEDERAL TRADE COMMISSION

16 CFR Part 305

RIN 3084–AB15

Energy Labeling Rule; Correction

AGENCY: Federal Trade Commission (“FTC” or “Commission”).

ACTION: Final rule; correcting amendment.

SUMMARY: The Federal Trade Commission (“Commission”) is issuing a correction to the Energy Labeling Rule to replace regulatory language inadvertently removed.

DATES: Effective April 5, 2018.

FOR FURTHER INFORMATION CONTACT: Hampton Newsome, Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC 20580 (202–326–2889).

SUPPLEMENTARY INFORMATION: The Commission is correcting 16 CFR part 305 to replace language in § 305.15(b) inadvertently removed by amendments published on November 2, 2015 (80 FR 67285, 67299; effective November 2, 2017).

List of Subjects in 16 CFR Part 305

Advertising, Energy conservation, Household appliances, Labeling, Reporting and recordkeeping requirements.

For the reasons discussed above, part 305 of title 16 is corrected by making the following correcting amendment:

PART 305—ENERGY AND WATER USE LABELING FOR CONSUMER PRODUCTS UNDER THE ENERGY POLICY AND CONSERVATION ACT (“ENERGY LABELING RULE”)

■ 1. The authority citation for part 305 continues to read as follows:

Authority: 42 U.S.C. 6294.

■ 2. In § 305.15, paragraph (b) is revised to read as follows:

§ 305.15 Labeling for lighting products.

* * * * *

(b) *General service lamps.* Except as provided in paragraph (f) of this section, any covered product that is a general service lamp shall be labeled as follows:

(1) *Principal display panel content.* The principal display panel of the product package shall be labeled clearly and conspicuously with the following information:

(i) The light output of each lamp included in the package, expressed as “Brightness” in average initial lumens rounded to the nearest five; and

(ii) The estimated annual energy cost of each lamp included in the package,

expressed as “Estimated Energy Cost” in dollars and based on usage of 3 hours per day and 11 cents (\$0.11) per kWh.

(2) *Principal display panel format.* The light output (brightness) and energy cost shall appear in that order and with equal clarity and conspicuousness on the principal display panel of the product package. The format, terms, specifications, and minimum sizes shall follow the specifications and minimum sizes displayed in Prototype Label 5 in appendix L of this part.

(3) *Lighting Facts label content.* The side or rear display panel of the product package shall be labeled clearly and conspicuously with a Lighting Facts label that contains the following information in the following order:

(i) The light output of each lamp included in the package, expressed as “Brightness” in average initial lumens rounded to the nearest five;

(ii) The estimated annual energy cost of each lamp included in the package based on the average initial wattage, a usage rate of 3 hours per day and 11 cents (\$0.11) per kWh and explanatory text as illustrated in Prototype Label 6 in appendix L of this part;

(iii) The life, as defined in § 305.2(w), of each lamp included in the package, expressed in years rounded to the nearest tenth (based on 3 hours operation per day);

(iv) The correlated color temperature of each lamp included in the package, as measured in degrees Kelvin and expressed as “Light Appearance” and by a number and a marker in the form of a scale as illustrated in Prototype Label 6 to appendix L of this part placed proportionately on the scale where the left end equals 2,600 K and the right end equals 6,600 K;

(v) The wattage, as defined in § 305.2(hh), for each lamp included in the package, expressed as energy used in average initial wattage;

(vi) The ENERGY STAR logo as illustrated in Prototype Label 6 to appendix L of this part for certified products, if desired by the manufacturer or private labeler. Only manufacturers or private labelers that have signed a Memorandum of Understanding with the Department of Energy or the Environmental Protection Agency may add the ENERGY STAR logo to labels on certified covered products; such manufacturers or private labelers may add the ENERGY STAR logo to labels only on those products that are covered by the Memorandum of Understanding;

(vii) The design voltage of each lamp included in the package, if other than 120 volts;

(viii) For any general service lamp containing mercury, the following

statement: “Contains Mercury For more on clean up and safe disposal, visit epa.gov/cfl.” The manufacturer may also print an “Hg[Encircled]” symbol on the label after the term “Contains Mercury”; and

(ix) No marks or information other than that specified in this part shall appear on the Lighting Facts label.

(4) *Standard Lighting Facts label format.* Except as provided in paragraph (b)(5) of this section, information specified in paragraph (b)(3) of this section shall be presented on covered lamp packages in the format, terms, explanatory text, specifications, and minimum sizes as shown in Prototype Labels 6 in appendix L of this part and consistent in format and orientation with Sample Labels 10, 11, or 12 in appendix L. The text and lines shall be all black or one color type, printed on a white or other neutral contrasting background whenever practical.

(i) The Lighting Facts information shall be set off in a box by use of hairlines and shall be all black or one color type, printed on a white or other neutral contrasting background whenever practical.

(ii) All information within the Lighting Facts label shall utilize:

(A) Arial or an equivalent type style;

(B) Upper and lower case letters;

(C) Leading as indicated in Prototype Label 6 in appendix L of this part;

(D) Letters that never touch;

(E) The box and hairlines separating information as illustrated in Prototype Labels 6 in appendix L of this part; and

(F) The minimum font sizes and line thicknesses as illustrated in Prototype Label 6 in appendix L of this part.

(5) *Lighting Facts format for small packages.* If the total surface area of the product package available for labeling is less than 24 square inches and the package shape or size cannot accommodate the standard label required by paragraph (b)(4) of this section, manufacturers may provide the information specified in paragraph (b)(3) of this section using a smaller, linear label following the format, terms, explanatory text, specifications, and minimum sizes illustrated in Prototype Label 7 in appendix L of this part.

(6) *Bilingual labels.* The information required by paragraphs (b)(1) through (5) of this section may be presented in a second language either by using separate labels for each language or in a bilingual label with the English text in the format required by this section immediately followed by the text in the second language. Sample Label 13 in appendix L of this part provides an example of a bilingual Lighting Facts label. All required information must be

included in both languages. Numeric characters that are identical in both languages need not be repeated.

(7) *Product labeling.* Any general service lamp shall be labeled legibly on the product with the following information:

(i) The lamp’s average initial lumens, expressed as a number rounded to the nearest five, adjacent to the word “lumens,” both provided in minimum 8 point font; and

(ii) For general service lamps containing mercury, the following statement: “Mercury disposal: epa.gov/cfl” in minimum 8 point font.

* * * * *

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2018–06694 Filed 4–4–18; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 510, 520, 522, 526, and 558

[Docket No. FDA–2017–N–0002]

New Animal Drugs; Approval of New Animal Drug Applications; Changes of Sponsorship; Change of a Sponsor’s Name and Address

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA or we) is amending the animal drug regulations to reflect application-related actions for new animal drug applications (NADAs) and abbreviated new animal drug applications (ANADAs) during October, November, and December 2017. FDA is informing the public of the availability of summaries of the basis of approval and of environmental review documents, where applicable. The animal drug regulations are also being amended to reflect changes of sponsorship of applications and a change of a sponsor’s name and address.

DATES: This rule is effective April 5, 2018.

FOR FURTHER INFORMATION CONTACT: George K. Haibel, Center for Veterinary Medicine (HFV–6), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 240–402–5689, george.haibel@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Approval Actions

FDA is amending the animal drug regulations to reflect approval actions for NADAs and ANADAs during October, November, and December 2017, as listed in table 1. In addition, FDA is informing the public of the availability, where applicable, of documentation of environmental review required under the National Environmental Policy Act and, for

actions requiring review of safety or effectiveness data, summaries of the basis of approval (FOI Summaries) under the Freedom of Information Act (FOIA). These public documents may be seen in the Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday. Persons with access to the internet may obtain these documents at

the CVM FOIA Electronic Reading Room: <https://www.fda.gov/AboutFDA/CentersOffices/OfficeofFoods/CVM/CVMFOIAElectronicReadingRoom/default.htm>. Marketing exclusivity and patent information may be accessed in FDA's publication, Approved Animal Drug Products Online (Green Book) at: <https://www.fda.gov/AnimalVeterinary/Products/ApprovedAnimalDrugProducts/default.htm>.

TABLE 1—ORIGINAL AND SUPPLEMENTAL NADAs AND ANADAs APPROVED DURING OCTOBER, NOVEMBER, AND DECEMBER 2017

Approval date	File No.	Sponsor	Product name	Species	Effect of the action	Public documents
October 27, 2017.	141-467	Elanco US Inc., 2500 Innovation Way, Greenfield, IN 46140.	Avilamycin and narasin Type C medicated feeds.	Chickens	Original approval for use of INTREPITY (avilamycin) and MONTEBAN (narasin) Type A medicated articles to manufacture Type C medicated broiler chicken feeds for the prevention of mortality caused by necrotic enteritis associated with <i>Clostridium perfringens</i> , and the prevention of coccidiosis caused by <i>Eimeria necatrix</i> , <i>E. tenella</i> , <i>E. acervulina</i> , <i>E. brunetti</i> , <i>E. mivati</i> , and <i>E. maxima</i> .	FOI Summary; EA/FONSI. ¹
October 27, 2017.	141-466	Elanco US Inc., 2500 Innovation Way, Greenfield, IN 46140.	Avilamycin, narasin, and nicarbazine Type C medicated feeds.	Chickens	Original approval for use of INTREPITY (avilamycin) and MAXIBAN (narasin and nicarbazine) Type A medicated articles to manufacture Type C medicated broiler chicken feeds for the prevention of mortality caused by necrotic enteritis associated with <i>Clostridium perfringens</i> , and the prevention of coccidiosis caused by <i>Eimeria necatrix</i> , <i>E. tenella</i> , <i>E. acervulina</i> , <i>E. brunetti</i> , <i>E. mivati</i> , and <i>E. maxima</i> .	FOI Summary; EA/FONSI. ¹
November 9, 2017.	106-111	Zoetis Inc., 333 Portage St., Kalamazoo, MI 49007.	TELAZOL (tiletamine and zolazepam for injection).	Dogs	Supplemental approval for intravenous administration in dogs for induction of anesthesia followed by maintenance with an inhalant anesthetic.	FOI Summary.
November 21, 2017.	200-473	Huvepharma EOOD, 5th Floor, 3A Nikolay Haytov Str., 1113 Sofia, Bulgaria.	TYLOVET (tylosin tartrate) Soluble Powder.	Chickens	Supplemental approval for the control of mortality caused by necrotic enteritis associated with <i>Clostridium perfringens</i> in broiler chickens.	FOI Summary.
November 30, 2017.	097-505	Zoetis Inc., 333 Portage St., Kalamazoo, MI 49007.	Lincomycin Type B and Type C medicated feeds.	Swine	Supplemental approval for use of LINCOMIX (lincomycin) Type A medicated articles to manufacture Type B and Type C medicated swine feeds for reduction in the severity of the effects of respiratory disease associated with <i>Mycoplasma hyopneumoniae</i> .	
December 11, 2017.	141-441	Virbac AH, Inc., 3200 Meacham Blvd., Ft. Worth, TX 76137.	IVERHART MAX (ivermectin, pyrantel pamoate, praziquantel) Soft Chew.	Dogs	Original approval of a soft chewable tablet to prevent canine heartworm disease by eliminating the tissue stage of heartworm larvae (<i>Dirofilaria immitis</i>) for a month (30 days) after infection and for the treatment and control of roundworm (<i>Toxocara canis</i> , <i>Toxascaris leonina</i>), hookworm (<i>Ancylostoma caninum</i> , <i>Uncinaria stenocephala</i> , <i>Ancylostoma braziliense</i>), and tapeworm (<i>Dipylidium caninum</i> , <i>Taenia pisiformis</i>) infections.	FOI Summary.
December 12, 2017.	200-617	Pharmgate LLC, 1800 Sir Tyler Dr., Wilmington, NC 28405.	Chlortetracycline and lasalocid Type B and Type C medicated feeds.	Cattle	Original approval for use of DERACIN (chlortetracycline) and BOVATEC (lasalocid) Type A medicated articles to manufacture Type B and Type C medicated cattle feeds as a generic copy of NADA 141-250.	

¹The Agency has carefully considered an environmental assessment (EA) of the potential environmental impact of this action and has made a finding of no significant impact (FONSI).

II. Changes of Sponsorship

Aratana Therapeutics, Inc., 11400 Tomahawk Creek Pkwy., Leawood, KS

66211 has informed FDA that it has transferred ownership of, and all rights and interest in, the following

application to Elanco US, Inc., 2500 Innovation Way, Greenfield, IN 46140:

File No.	Product name	21 CFR section
141-455	GALLIPRANT (grapiprant) Tablets	520.1084

Strategic Veterinary Pharmaceuticals, Inc., 100 NW Airport Rd., St. Joseph, MO 64503 has informed FDA that it has transferred ownership of, and all rights and interest in, the following applications to HQ Specialty Pharma Corp., 120 Rte. 17 North, suite 130, Paramus, NJ 07652:

File No.	Product name	21 CFR section
055-097	DRY-MAST (pen G procaine/dihydrostreptomycin sulfate) Infusion	526.1696b

Ridley Block Operations Inc., 424 North Riverfront Dr., P.O. Box 8500, Mankato, MN 56002-8500 has informed FDA that it has transferred ownership of, and all rights and interest in, the following applications to Ridley USA, Inc., 111 W Cherry St., suite 500, Mankato, MN 56001:

File No.	Product name	21 CFR section
141-187	CRYSTALYX IONO-LYX (lasalocid) Type C Medicated Protein Block	558.311

Ridley U.S. Holdings, Inc., 424 North Riverfront Dr., P.O. Box 8500, Mankato, MN 56002-8500 has informed FDA that it has transferred ownership of, and all rights and interest in, the following application to Ridley USA, Inc., 111 W Cherry St., suite 500, Mankato, MN 56001:

File No.	Product name	21 CFR section
033-733	SWEETLIX BLOAT-GUARD (poloxalene) Pressed Block	520.1840

Accordingly, the animal drug regulations are being amended to reflect these changes of sponsorship. Following these withdrawals of approval, neither Ridley Block Operations, Inc. nor Ridley U.S. Holdings, Inc. is the sponsor of an approved application. Accordingly, these firms will be removed from the list of sponsors of approved applications in § 510.600(c) (21 CFR 510.600(c)).

III. Legal Authority

This final rule is issued under section 512(i) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C.360b(i)), which requires **Federal Register** publication of “notice[s] . . . effective as a regulation,” of the conditions of use of approved new animal drugs. This rule sets forth technical amendments to the regulations to codify recent actions on approved new animal drug applications and corrections to improve the accuracy of the regulations, and as such does not impose any burden on regulated entities.

Although denominated a rule pursuant to the FD&C Act, this

document does not meet the definition of “rule” in 5 U.S.C. 804(3)(A) because it is a “rule of particular applicability.” Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801-808. Likewise, this is not a rule subject to Executive Order 12866, which defines a rule as “an agency statement of general applicability and future effect, which the agency intends to have the force and effect of law, that is designed to implement, interpret, or prescribe law or policy or to describe the procedure or practice requirements of an agency.”

List of Subjects

21 CFR Part 510

Administrative practice and procedure, Animal drugs, Labeling, Reporting and recordkeeping requirements.

21 CFR Parts 520, 522, and 526

Animal drugs.

21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR parts 510, 520, 522, 526, and 558 are amended as follows:

PART 510—NEW ANIMAL DRUGS

■ 1. The authority citation for part 510 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 353, 360b, 371, 379e.

■ 2. In § 510.600, in the table in paragraph (c)(1), remove the entry for “Ridley Block Operations, Inc.” and revise the entry for “Ridley U.S. Holdings, Inc.”; and in the table in paragraph (c)(2), remove the entry for “068287” and revise the entry for “067949”.

The revisions read as follows:

§ 510.600 Names, addresses, and drug labeler codes of sponsors of approved applications.

* * * * *
 (c) * * *
 (1) * * *

Firm name and address	Drug labeler code
* * * * *	* * * * *
Ridley USA, Inc., 111 W Cherry St., Suite 500, Mankato, MN 56001	067949
* * * * *	* * * * *

(2) * * *

Drug labeler code	Firm name and address
* * * * *	* * * * *
067949	Ridley USA, Inc., 111 W Cherry St., Suite 500, Mankato, MN 56001.
* * * * *	* * * * *

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS

■ 3. The authority citation for part 520 continues to read as follows:

Authority: 21 U.S.C. 360b.

§ 520.1084 [Amended]

■ 4. In § 520.1084, in paragraph (b), remove “086026” and in its place add “058198”.

§ 520.1199 [Amended]

■ 5. In § 520.1199, in paragraph (a) introductory text, remove “chewable tablet” and in its place add “chewable tablet or soft chewable tablet”; and in paragraph (c)(2), remove “Prevents” and in its place add “To prevent”.

■ 6. In § 520.2640, revise paragraphs (b)(1) and (2) to read as follows:

§ 520.2640 Tylosin.

* * * * *

(b) * * *

(1) Nos. 016592 and 058198 for use as in paragraph (e) of this section.

(2) No. 061623 for use as in paragraphs (e)(1)(i)(A), (e)(1)(ii), (e)(2), (e)(3), and (e)(4) of this section.

* * * * *

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS

■ 7. The authority citation for part 522 continues to read as follows:

Authority: 21 U.S.C. 360b.

■ 8. In § 522.2470, revise paragraphs (b) and (c) to read as follows:

§ 522.2470 Tiletamine and zolazepam for injection.

* * * * *

(b) *Sponsors.* See sponsors in § 510.600(c) of this chapter:

(1) No. 054771 for use as in paragraph (c) of this section.

(2) Nos. 026637 and 051311 for use as in paragraphs (c)(1)(i)(A), (c)(1)(ii)(A), (c)(1)(iii) and (c)(2) of this section.

(c) *Conditions of use—(1) Dogs—(i) Amount.* Expressed as milligrams of the drug combination:

(A) An initial intramuscular dosage of 3 to 4.5 milligrams per pound (mg/lb) of body weight for diagnostic purposes; 4.5 to 6 mg/lb of body weight for minor procedures of short duration such as repair of lacerations and wounds, castrations, and other procedures requiring mild to moderate analgesia. Supplemental doses when required should be less than the initial dose and the total dose given should not exceed 12 mg/lb of body weight. The maximum total safe dose is 13.6 mg/lb of body weight.

(B) Administer intravenously at 1 to 2 mg/lb (2.2 to 4.4 mg/kg) body weight to effect for induction of anesthesia followed by maintenance with an inhalant anesthetic.

(ii) *Indications for use.* (A) Intramuscular administration in dogs for restraint and minor procedures of short duration (30 minutes average) requiring mild to moderate analgesia.

(B) Intravenous administration in dogs for induction of anesthesia followed by maintenance with an inhalant anesthetic.

(iii) *Limitations.* Federal law restricts this drug to use by or on the order of a licensed veterinarian.

(2) *Cats—(i) Amount.* An initial intramuscular dosage of 4.4 to 5.4 mg/lb of body weight is recommended for such procedures as dentistry, treatment of abscesses, foreign body removal, and related types of surgery; 4.8 to 5.7 mg/lb of body weight for minor procedures requiring mild to moderate analgesia, such as repair of lacerations, castrations,

and other procedures of short duration. Initial dosages of 6.5 to 7.2 mg/lb of body weight are recommended for ovariohysterectomy and onychectomy. When supplemental doses are required, such individual supplemental doses should be given in increments that are less than the initial dose and the total dose given (initial dose plus supplemental doses) should not exceed the maximum allowable safe dose of 32.7 mg/lb of body weight.

(ii) *Indications for use.* For restraint or for anesthesia combined with muscle relaxation.

(iii) *Limitations.* Federal law restricts this drug to use by or on the order of a licensed veterinarian.

PART 526—INTRAMAMMARY DOSAGE FORM NEW ANIMAL DRUGS

■ 9. The authority citation for part 526 continues to read as follows:

Authority: 21 U.S.C. 360b.

§ 526.1696b [Amended]

■ 10. In § 526.1696b, in paragraph (b), remove “054628” and in its place add “042791”.

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

■ 11. The authority citation for part 558 continues to read as follows:

Authority: 21 U.S.C. 354, 360b, 360ccc, 360ccc-1, 371.

■ 12. In § 558.68, add paragraphs (e)(1)(iii) and (iv) to read as follows:

§ 558.68 Avilamycin.

* * * * *

(e) * * *

(1) * * *

Avilamycin in grams/ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
(iii) 13.6 to 40.9	Narasin, 54 to 90	Broiler chickens: For the prevention of mortality caused by necrotic enteritis associated with <i>Clostridium perfringens</i> ; and for the prevention of coccidiosis caused by <i>Eimeria necatrix</i> , <i>E. tenella</i> , <i>E. acervulina</i> , <i>E. brunetti</i> , <i>E. mivati</i> , and <i>E. maxima</i> .	Feed as the sole ration for 21 consecutive days to chickens that are at risk of developing, but not yet showing clinical signs of, necrotic enteritis associated with <i>Clostridium perfringens</i> . To assure responsible antimicrobial drug use in broiler chickens, treatment administration must begin on or before 10 days of age. Do not allow adult turkeys, horses, or other equines access to narasin formulations. Ingestion of narasin by these species has been fatal. Narasin as provided by No. 058198 in § 510.600(c) of this chapter.	058198
(iv) 13.6 to 40.9	Narasin, 27 to 45; nicarbazin, 27 to 45	Broiler chickens: For the prevention of mortality caused by necrotic enteritis associated with <i>Clostridium perfringens</i> ; and for the prevention of coccidiosis caused by <i>Eimeria necatrix</i> , <i>E. tenella</i> , <i>E. acervulina</i> , <i>E. brunetti</i> , <i>E. mivati</i> , and <i>E. maxima</i> .	Feed as the sole ration for 21 consecutive days to chickens that are at risk of developing, but not yet showing clinical signs of, necrotic enteritis associated with <i>Clostridium perfringens</i> . To assure responsible antimicrobial drug use in broiler chickens, treatment administration must begin on or before 10 days of age. Do not allow adult turkeys, horses, or other equines access to narasin formulations. Ingestion of narasin by these species has been fatal. Do not feed to laying hens. Withdraw 5 days before slaughter. Narasin and nicarbazin as provided by No. 058198 in § 510.600(c) of this chapter.	058198

* * * * *

§ 558.128 [Amended]

■ 13. In § 558.128, in paragraph (e)(4), in the “Sponsor” column, numerically add “069254” to paragraphs (e)(4)(ii), (vii), (viii), (ix), and (xviii) through (xxvi).

§ 558.311 [Amended]

■ 14. In § 558.311, in paragraph (b)(9) and in paragraph (e)(1)(xix), in the “Sponsor” column, remove “068287” and in its place add “067949”.

■ 15. In § 558.325 revise paragraph (e)(2)(xiv) to read as follows:

§ 558.325 Lincomycin.

* * * * *

(e) * * *

(2) * * *

Lincomycin grams/ton	Combination in grams/ton	Indications for use	Limitations	Sponsors
(xiv) 100 to 200		For reduction in the severity of the effects of respiratory disease associated with <i>Mycoplasma hyopneumoniae</i> .	Feed as sole ration for 21 days	054771

* * * * *

Dated: March 29, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018-06961 Filed 4-4-18; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 182

[Docket ID: DOD-2017-OS-0052]

RIN 0790-AK04

Defense Support of Civilian Law Enforcement Agencies

AGENCY: Under Secretary of Defense for Policy, DoD.

ACTION: Final rule.

SUMMARY: This final rule removes the Department of Defense (DoD) regulation concerning defense support of civilian law enforcement agencies. This part establishes DoD policy, assigns responsibilities, and provides procedures to key DoD individuals who provide support to Federal, State, Tribal, and local civilian law enforcement agencies within the United States, including the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United

States or any other political subdivision thereof. Although civilian law enforcement agencies may request support from DoD, this part neither confers a benefit not otherwise provided for in statute nor imposes a burden on civilian law enforcement agencies. Therefore, this part may be removed from the CFR.

DATES: This rule is effective on April 5, 2018.

FOR FURTHER INFORMATION CONTACT: James (Coach) Ross at 571-256-8325.

SUPPLEMENTARY INFORMATION: It has been determined that publication of this CFR part removal for public comment is impracticable, unnecessary, and contrary to public interest since it is based on removing DoD internal policies and procedures that are publicly available on the Department's issuance website.

DoD internal guidance concerning defense support of civilian law enforcement agencies will continue to be published in DoD Instruction 3025.21, "Defense Support of Civilian Law Enforcement Agencies," available at <http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/302521p.pdf>.

This rule is not significant under Executive Order (E.O.) 12866, "Regulatory Planning and Review," therefore, E.O. 13771, "Reducing Regulation and Controlling Regulatory Costs" does not apply.

List of Subjects in 32 CFR Part 182

Armed forces, Law enforcement.

PART 182—[REMOVED]

■ Accordingly, by the authority of 5 U.S.C. 301, 32 CFR part 182 is removed.

Dated: March 30, 2018.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2018-06935 Filed 4-4-18; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 185

[Docket ID: DOD-2017-OS-0054]

RIN 0790-AK06

Defense Support of Civil Authorities

AGENCY: Under Secretary of Defense for Policy, DoD.

ACTION: Final rule.

SUMMARY: This final rule removes the Department of Defense (DoD) regulation

concerning defense support of civil authorities. This part contains DoD policy and assigns responsibilities for Defense Support of Civil Authorities (DSCA). This part also authorizes immediate response authority for providing DSCA, when requested, and authorizes emergency authority for the use of military force, under dire situations. The content of the rule is internal to DoD and does not require codification. The part will be removed.

DATES: This rule is effective on April 5, 2018.

FOR FURTHER INFORMATION CONTACT: Tom Lacrosse at 571-256-8319.

SUPPLEMENTARY INFORMATION: It has been determined that publication of this CFR part removal for public comment is impracticable, unnecessary, and contrary to public interest since it is based on removing DoD internal policies and procedures that are publicly available on the Department's issuance website.

DoD internal guidance concerning defense support of special events will continue to be published in DoD Directive 3025.18, "Defense Support of Civil Authorities (DSCA)," available at <http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodd/302518p.pdf>.

This rule is not significant under Executive Order (E.O.) 12866, "Regulatory Planning and Review," therefore, E.O. 13771, "Reducing Regulation and Controlling Regulatory Costs" does not apply.

List of Subjects in 32 CFR Part 185

Armed forces, Civil defense.

PART 185—[REMOVED]

■ Accordingly, by the authority of 5 U.S.C. 301, 32 CFR part 185 is removed.

Dated: March 30, 2018.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2018-06936 Filed 4-4-18; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2015-1061]

RIN 1625-AA00

Safety Zone; Vigor Industrial Drydock Movement, West Duwamish Waterway; Seattle, WA

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing a safety zone in the West Duwamish Waterway in Seattle, Washington for scheduled drydock movements at Vigor Industrial. The safety zone is necessary to ensure the safety of the maritime public and workers involved in the drydock movements. The safety zone will prohibit any person or vessel from entering or remaining in the safety zone when a notice of enforcement is issued, unless authorized by the Captain of the Port or a Designated Representative.

DATES: This rule is effective May 7, 2018.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2015-1061 in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Lieutenant Commander Christina Sullivan, Waterways Management Division, Sector Puget Sound, U.S. Coast Guard; telephone 206-217-6051, email SectorPugetSoundWWM@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background Information and Regulatory History

The Coast Guard periodically receives notification from Vigor Industrial regarding their scheduled drydock movements in the West Duwamish Waterway, and has established temporary safety zones to ensure the safety of the maritime public during Vigor Industrial's operations. The Coast

Guard last published a temporary safety zone; Vigor Industrial Ferry Construction, West Duwamish Waterway, Seattle, WA on September 9, 2014 (79 FR 53297).

On November 16, 2016, the Coast Guard published a notice of proposed rulemaking (NPRM) titled Safety Zone; Vigor Industrial Drydock Movement, West Duwamish Waterway; Seattle, WA (81 FR 80621). There we stated why we issued the NPRM, and invited comments on our proposed regulatory action related to this safety zone. During the comment period that ended January 17, 2017, we received no comments.

III. Legal Authority and Need for Rule

The Coast Guard is establishing this rule under authority in 33 U.S.C. 1231. Coast Guard Captains of the Port are granted authority to establish safety and security zones in 33 CFR 1.05–1(f) for safety and environmental purposes as described in 33 CFR part 165.

Due to the dangers involved with a large, slow moving drydock that will be maneuvering close to the shore, the Coast Guard is establishing a short term safety zone that is activated on a notice of enforcement to ensure the safety of the workers involved as well as the maritime public during Vigor Industrial's operations.

IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on our NPRM published November 16, 2016. There is one change in the regulatory text of this rule from the proposed rule in the NPRM.

We changed the proposed language in § 165.1340(b)(2) as follows: In the first sentence of paragraph (b)(2), the word "consult" is changed to "communicate." The second sentence of paragraph (b)(2) remains unchanged. This change is intended to clarify that consultation occurs once the Coast Guard receives sufficient information from Vigor Industrial and the Muckleshoot Tribe that there are impacts to treaty fishing activities.

This rule establishes a safety zone encompassing all waters in a rectangle approximately 450-yards-by-500-yards at the mouth of the West Duwamish Waterway as it empties into Elliot Bay in Seattle, Washington. The safety zone is adjacent to the north-eastern tip of Harbor Island in Seattle, WA, and will only be enforced after a notice of enforcement has been issued by the Captain of the Port, Sector Puget Sound. In addition to issuing a notice of enforcement to be published in the **Federal Register**, the Captain of the Port will use other appropriate means, such

as Local Notice to Mariners and Special Marine Information Broadcast, to inform the public of enforcement periods.

To request permission to enter the zone during the times set out by the notice of enforcement, contact the Joint Harbor Operations Center at 206–217–6001 or the Vessel Traffic Service Puget Sound on VHF Channel 14. If permission for entry is granted vessels will be required proceed at a minimum speed for navigation.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a "significant regulatory action," under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the size, location, and duration of the safety zone. This safety zone will impact a small designated area of the West Duwamish Waterway for less than 6 hours per occurrence. From 2005 through 2015, there were a total of 10 instances in which the Coast Guard issued a safety zone for the movement of the Vigor Dry Dock. Moreover, the Coast Guard will issue a Broadcast Notice to Mariners via VHF–FM marine channel 16 about the zone, and the rule allows 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 received no comments

from the Small Business Administration on this rulemaking. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

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

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

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under E.O. 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in E.O. 13132.

This rule was determined to have potential tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal

Governments, because it will impact vessel traffic in the West Duwamish Waterway. The Coast Guard consulted with the Muckleshoot tribe on the NPRM that preceded this rule. In order to reach an agreeable timeframe that avoids impacts to treaty fishing activities, the Coast Guard will communicate with the Muckleshoot tribe and Vigor Industrial once it receives notification from Vigor Industrial concerning drydock movements that require the enforcement of the safety zone. If agreement is not reached, the Coast Guard, as a Federal trustee, will conduct consultation with the Muckleshoot tribe to ensure Vigor movements will avoid Treaty impacts.

If you believe this rule has additional implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves the establishment of a safety zone to ensure the safety of the maritime public. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 01. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to

coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.1340 to read as follows:

§ 165.1340 Safety Zone; Vigor Industrial Drydock Movement, West Duwamish Waterway; Seattle, WA.

(a) *Location.* The following area is a safety zone: All waters of the West Duwamish Waterway in Seattle, WA encompassed within the area created by connecting the following points: 47°35′04″ N, 122°21′30″ W thence westerly to 47°35′04″ N, 122°21′50″ W thence northerly to 47°35′19″ N, 122°21′50″ W thence easterly to 47°35′19″ N, 122°21′30″ W thence southerly to 47°35′04″ N, 122°21′30″ W.

(b) *Regulations.* (1) In accordance with the general regulations in subpart C of this part, when a notice of enforcement has been issued, no person may enter or remain in the safety zone created by this section unless authorized by the Captain of the Port or a Designated Representative. See subpart C of this part for additional safety zone information and requirements. Vessel operators wishing to enter the zone during the enforcement period must request permission for entry by contacting the Joint Harbor Operation Center at 206–217–6001 or the Vessel Traffic Service Puget Sound on VHF channel 14.

(2) In order to reach an agreeable timeframe that avoids impacts to treaty fishing activities, the Coast Guard will communicate with the Muckleshoot Tribe and Vigor Industrial once it receives notification from Vigor Industrial concerning drydock movements that require the enforcement of the safety zone. If agreement is not reached, the Coast Guard, as a federal trustee, will conduct consultation with the Muckleshoot Tribe to ensure Vigor movements will avoid Treaty impacts.

(c) *Enforcement periods.* The safety zone described in paragraph (a) of this section will be enforced by the Captain of the Port only upon notice. Notice of enforcement by the Captain of the Port will be provided prior to execution of the drydock movement by all appropriate means, in accordance with § 165.7(a). Such means will include issuance of a notice of enforcement to be published in the **Federal Register**, Local Notice to Mariners, and Special Marine Information Broadcast.

L.A. Sturgis,

Captain, U.S. Coast Guard, Captain of the Port Puget Sound.

[FR Doc. 2018–06924 Filed 4–4–18; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[SC–2017; FRL–9974–17—Region 4]

Air Plan Approval; South Carolina; Update to Materials Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; notification of administrative change.

SUMMARY: The Environmental Protection Agency (EPA) is updating the materials that are incorporated by reference (IBR) into the South Carolina state implementation plan (SIP). The regulations affected by this update have been previously submitted by South Carolina and approved by EPA. This update affects the materials that are available for public inspection at the National Archives and Records Administration (NARA) and the EPA Regional Office.

DATES: This action is effective April 5, 2018.

ADDRESSES: SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at the following locations: Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, GA 30303; and the National Archives and Records Administration. 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>. To view the materials at the Region 4 Office, EPA requests that you email the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Sean Lakeman, Air Regulatory

Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. Mr. Lakeman can be reached via telephone at (404) 562–9043 or via electronic mail at lakeman.sean@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Each state has a SIP containing the control measures and strategies used to attain and maintain the national ambient air quality standards (NAAQS). The SIP is extensive, containing such elements as air pollution control regulations, emission inventories, monitoring networks, attainment demonstrations, and enforcement mechanisms.

Each state must formally adopt the control measures and strategies in the SIP after the public has had an opportunity to comment on them and then submit the proposed SIP revisions to EPA. Once these control measures and strategies are approved by EPA, and after notice and comment, they are incorporated into the federally-approved SIP and are identified in part 52—“Approval and Promulgation of Implementation Plans,” title 40 of the Code of Federal Regulations (40 CFR part 52). The full text of the state regulation approved by EPA is not reproduced in its entirety in 40 CFR part 52, but is “incorporated by reference.” This means that EPA has approved a given state regulation with a specific effective date. The public is referred to the location of the full text version should they want to know which measures are contained in a given SIP. The information provided allows EPA and the public to monitor the extent to which a state implements a SIP to attain and maintain the NAAQS and to take enforcement action if necessary.

The SIP is a living document which the state can revise as necessary to address the unique air pollution problems in the state. Therefore, EPA from time to time must take action on proposed revisions containing new and/or revised state regulations. A submission from a state can revise one or more rules in their entirety or portions of rules, or even change a single word. The state indicates the changes in the submission (such as, by using redline/strikethrough) and EPA then takes action on the requested changes. EPA establishes a docket for its actions using a unique Docket Identification Number, which is listed in each action. These dockets and the

complete submission are available for viewing on www.regulations.gov.

On May 22, 1997 (62 FR 27968), EPA revised the procedures for incorporating by reference, into the Code of Federal Regulations, materials approved by EPA into each state SIP. These changes revised the format for the identification of the SIP in 40 CFR part 52, streamlined the mechanisms for announcing EPA approval of revisions to a SIP, and streamlined the mechanisms for EPA’s updating of the IBR information contained for each SIP in 40 CFR part 52. The revised procedures also called for EPA to maintain “SIP Compilations” that contain the federally-approved regulations and source specific permits submitted by each state agency. These SIP Compilations are contained in 3-ring binders and are updated primarily on an annual basis. Under the revised procedures, EPA must periodically publish an informational document in the rules section of the **Federal Register** notifying the public that updates have been made to a SIP Compilation for a particular state. EPA applied the 1997 revised procedures to South Carolina on July 1, 1997 (62 FR 35441).

II. EPA Action

This action represents EPA’s publication of the South Carolina SIP Compilation update, appearing in 40 CFR part 52: specifically, the materials in paragraph (c) and (d) at 40 CFR 52.2120. In addition, notice is provided of the following corrections to the table in paragraph (C) of § 52.2120, as described below:

A. Reformatting the Table by combining the “EPA approval date” and “**Federal Register** notice” columns and adding a new column titled “Explanation”.

B. Correcting typographical errors, state effective dates, EPA approval dates and **Federal Register** citations listed in the table in paragraph (c), as described below:

1. Under the “State effective date” and “EPA approval date” the 2-digit year was changed to reflect a 4-digit year (for consistency) and numerous **Federal Register** citations were corrected to reflect the first page of the preamble opposed to the regulatory text page.

2. Under Regulation No. 62.1, “Section IV” the State effective date was revised to read “6/27/2014” and EPA approval date was revised to read “8/21/2017, 82 FR 39537.”

3. Under Regulation No. 62.1, “Section IV” the State effective date was revised to read “6/27/2014” and EPA

approval date was revised to read “8/21/2017, 82 FR 39537.”

4. Under Regulation No. 62.5, *Standard No. 1*, “Section VII” the entry was removed from the table because the rule was repealed.

5. Under Regulation No. 62.5, *Standard No. 4*, “Section II” the State effective date was revised to read “4/22/1988” and EPA approval date was revised to read “10/3/1989, 54 FR 40659.”

5. Under Regulation No. 62.5, *Standard No. 4*, “Section XIII” the entry was removed from the table because the rule was repealed.

6. Under Regulation No. 62.5, *Standard No. 5*, “Section I” the State effective date was revised to read “4/26/2013” and EPA approval date was revised to read “8/16/2017, 82 FR 38825.”

7. Under Regulation No. 62.5, *Standard No. 5*, Section I, “Part A” the State effective date was revised to read “4/26/2013” and EPA approval date was revised to read “8/16/2017, 82 FR 38825.”

8. Under Regulation No. 62.5, *Standard No. 5*, Section I, “Part G” the State effective date was revised to read “4/26/2013” and EPA approval date was revised to read “8/16/2017, 82 FR 38825.”

9. Under Regulation No. 62.5, *Standard No. 5*, Section II, “Part A” the entry was reinserted after inadvertently being removed, and the State effective date was revised to read “11/27/2015” and EPA approval date was revised to read “8/16/2017, 82 FR 38825.”

10. Under Regulation No. 62.5, *Standard No. 5*, Section II, “Part B” the State effective date was revised to read “11/27/2015” and EPA approval date was revised to read “8/16/2017, 82 FR 38825.”

11. Under Regulation No. 62.5, *Standard No. 5*, Section II, “Part I” the entry was removed from the table because the rule was reserved and was never approved into the SIP.

12. Under Regulation No. 62.5, *Standard No. 5*, Section II, “Part J” the entry was removed from the table because the rule was reserved and was never approved into the SIP.

13. Under Regulation No. 62.5, *Standard No. 5*, Section II, “Part K” the entry was removed from the table because the rule was reserved and was never approved into the SIP.

14. Under Regulation No. 62.5, *Standard No. 5*, Section II, “Part L” the entry was removed from the table because the rule was reserved and was never approved into the SIP.

15. Under Regulation No. 62.5, *Standard No. 5*, Section II, “Part M” the

entry was removed from the table because the rule was reserved and was never approved into the SIP.

16. Under Regulation No. 62.5, *Standard No. 5*, Section II, “Part Q” the State effective date was revised to read “4/26/2013” and EPA approval date was revised to read “8/16/2017, 82 FR 38825.”

17. Under Regulation No. 62.5, “Standard No. 6” and subentries for “Sections I—III” the entries were removed from the table because they had previously been disapproved and the original approval rescinded from the SIP. See 60 FR 12700 (March 8, 1995). Additionally, EPA inadvertently added these sections back to the table when administrative edits were included alongside a SIP revision. See 67 FR 30594 (May 7, 2002).

18. Under Regulation No. 62.5, *Standard No. 7.1*, “Section I” entry was removed from the table because it had previously been consolidated into Regulation No. 62.5, *Standard No. 7*. See 67 FR 30594 (May 7, 2002).

19. Under Regulation No. 62.5, *Standard No. 7.1*, “Section II” entry was removed from the table because it had previously been consolidated into Regulation No. 62.5, *Standard No. 7*. See 67 FR 30594 (May 7, 2002).

20. Under Regulation No. 62.5, *Standard No. 7.1*, “Section III” entry was removed from the table because it had previously been consolidated into Regulation No. 62.5, *Standard No. 7*. See 67 FR 30594 (May 7, 2002).

21. Under Regulation No. 62.5, *Standard No. 7.1*, “Section IV” entry was removed from the table because it had previously been consolidated into Regulation No. 62.5, *Standard No. 7*. See 67 FR 30594 (May 7, 2002).

22. Footnote 1 was removed and inserted in the explanation column under Regulation No. 62.5, *Standard No. 7* and *Standard No. 7.1*.

III. Good Cause Exemption

EPA has determined that this action falls under the “good cause” exemption in section 553(b)(3)(B) of the Administrative Procedure Act (APA) which, upon finding “good cause,” authorizes agencies to dispense with public participation and section 553(d)(3) which allows an agency to make an action effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). This administrative action simply codifies provisions which are already in effect as a matter of law in Federal and approved state programs and corrects typographical errors appearing in the CFR. Under section 553(b)(3)(B) of the APA, an agency may

find good cause where procedures are “impracticable, unnecessary, or contrary to the public interest.” Public comment for this administrative action is “unnecessary” and “contrary to the public interest” since the codification (and typographical corrections) only reflect existing law. Immediate notice of this action in the **Federal Register** benefits the public by providing the public notice of the updated South Carolina SIP Compilation and notice of typographical corrections to the South Carolina “Identification of Plan” portion of the **Federal Register**. Further, pursuant to section 553(d)(3), making this action immediately effective benefits the public by immediately updating both the SIP compilation and the CFR “Identification of plan” section (which includes table entry corrections).

IV. Incorporation by Reference

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of previously EPA-approved regulations promulgated by South Carolina and federally effective prior to October 1, 2017. EPA has made, and will continue to make, these materials generally available through www.regulations.gov and at the EPA Region 4 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. See 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this notice of administrative change does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- is certified as not having a significant economic impact on a substantial number of small entities

under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this notice of administrative change for the state of South Carolina does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because it does not have substantial direct effects on an Indian Tribe. The Catawba Indian Nation Reservation is located within the South Carolina portion of the bi-state Charlotte Area. Pursuant to the Catawba Indian Claims Settlement Act, S.C. Code Ann. 27–16–120, “all state and local environmental laws and regulations apply to the [Catawba Indian Nation] and Reservation and are fully enforceable by all relevant state and local agencies and authorities.” EPA notes this action will not impose substantial direct costs on Tribal governments or preempt Tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it

is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

EPA also believes that the provisions of section 307(b)(1) of the CAA pertaining to petitions for judicial review are not applicable to this action. This is because prior EPA rulemaking actions for each individual component of the South Carolina SIP compilations previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, EPA believes judicial review of this action under section 307(b)(1) of the CAA is not available.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: January 26, 2018.
Onis “Trey” Glenn, III,
Regional Administrator, Region 4.

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority for citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart PP—South Carolina

■ 2. Section 52.2120 is amended by revising paragraphs (b), (c), and (d) to read as follows:

§ 52.2120 Identification of plan.

* * * * *

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to October 1, 2017 was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the **Federal**

Register. Entries in paragraphs (c) and (d) of this section with EPA approval dates after October 1, 2017 will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State Implementation Plan as of the dates referenced in paragraph (b)(1) of this section.

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street SW, Atlanta, GA 30303. To obtain the material, please call (404) 562–9022. You may inspect the material with an EPA approval date prior to October 1, 2017, for South Carolina at the National Archives and Records Administration. For information on the availability of this material at NARA go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

(c) *EPA Approved South Carolina Regulations.*

AIR POLLUTION CONTROL REGULATIONS FOR SOUTH CAROLINA

State citation	Title/subject	State effective date	EPA approval date	Explanation
Regulation No. 62.1	Definitions and General Requirements	6/26/1998	8/10/2004, 69 FR 48395.	
Section I	Definitions	11/26/2010	4/3/2013, 78 FR 19997.	
Section II	Permit Requirements	6/24/2005	6/2/2008, 73 FR 31369.	
Section III	Emission Inventory and Emissions Statement	9/23/2016	5/31/2017, 82 FR 24853.	
Section IV	Source Tests	6/27/2014	8/21/2017, 82 FR 39537.	
Section V	Credible Evidence	6/27/2014	8/21/2017, 82 FR 39537.	
Regulation No. 62.2	Prohibition of Open Burning	6/25/2004	8/26/2005, 70 FR 50195.	
Regulation No. 62.3	Air Pollution Episodes.			
Section I	Episode Criteria	4/26/2013	8/21/2017, 82 FR 39541.	
Section II	Emission Reduction Requirements	4/22/1988	10/3/1989, 54 FR 40659.	
Regulation No. 62.4	Hazardous Air Pollution Conditions	12/20/1978	1/29/1980, 45 FR 6572.	
Regulation No. 62.5	Air Pollution Control Standards.			
<i>Standard No. 1</i>	Emissions from Fuel Burning Operations.			
Section I	Visible Emissions	10/26/2001	5/7/2002, 67 FR 30594.	
Section II	Particulate Matter Emissions	4/22/1988	10/3/1989, 54 FR 40659.	
Section III	Sulfur Dioxide Emissions	3/3/1983	10/29/1984, 49 FR 43469.	
Section IV	Opacity Monitoring Requirements	4/22/1988	7/2/1990, 55 FR 27226.	
Section V	Exemptions	5/24/1985	10/3/1989, 54 FR 40659.	
Section VI	Periodic Testing	6/26/1998	8/10/2004, 69 FR 48395.	
<i>Standard No. 2</i>	Ambient Air Quality Standards	9/23/2016	6/29/2017, 82 FR 29418.	
<i>Standard No. 4</i>	Emissions From Process Industries.			
Section I	General	2/28/1986	2/17/1987, 52 FR 4772.	
Section II	Sulfuric Acid Manufacturing	4/22/1988	10/3/1989, 54 FR 40659.	
Section III	Kraft Pulp and Paper Manufacturing Plants	4/22/1988	10/3/1989, 54 FR 40659.	
Section IV	Portland Cement Manufacturing	2/28/1986	2/17/1987, 52 FR 4772.	

AIR POLLUTION CONTROL REGULATIONS FOR SOUTH CAROLINA—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section V	Cotton Gins	10/26/2001	5/7/2002, 67 FR 30594.	
Section VI	Hot Mix Asphalt Manufacturing	5/24/1985	10/3/1989, 54 FR 40659.	
Section VII	Metal Refining	2/28/1986	2/17/1987, 52 FR 4772.	
Section VIII	Other Manufacturing	10/26/2001	5/7/2002, 67 FR 30594.	
Section IX	Visible Emissions	4/22/1988	7/2/1990, 55 FR 27226.	
Section X	Non-Enclosed Operations	4/22/1988	7/2/1990, 55 FR 27226.	
Section XI	Total Reduced Sulfur Emissions of Kraft Pulp Mills.	10/26/2001	5/7/2002, 67 FR 30594.	
Section XII	Periodic Testing	6/26/1998	8/10/2004, 69 FR 48395.	
<i>Standard No. 5</i>	Volatile Organic Compounds.			
Section I	General Provisions	4/26/2013	8/16/2017, 82 FR 38825.	
Part A	Definitions	4/26/2013	8/16/2017, 82 FR 38825.	
Part B	General Applicability	10/26/2001	5/7/2002, 67 FR 30594.	
Part C	Alternatives and Exceptions to Control Requirements.	10/26/2001	5/7/2002, 67 FR 30594.	
Part D	Compliance Schedules	10/26/2001	5/7/2002, 67 FR 30594.	
Part E	Volatile Organic Compound Compliance Testing.	6/26/1998	8/10/2004, 69 FR 48395.	
Part F	Recordkeeping, Reporting, Monitoring	10/26/2001	5/7/2002, 67 FR 30594.	
Part G	Equivalency Calculations	4/26/2013	8/16/2017, 82 FR 38825.	
Section II	Provisions for Specific Sources.			
Part A	Surface Coating of Cans	11/27/2015	8/16/2017, 82 FR 38825.	
Part B	Surface Coating of Coils	11/27/2015	8/16/2017, 82 FR 38825.	
Part C	Surface Coating of Paper, Vinyl, and Fabric ...	8/24/1990	2/4/1992, 57 FR 4158.	
Part D	Surface Coating of Metal Furniture and Large Appliances.	8/24/1990	2/4/1992, 57 FR 4158.	
Part E	Surface Coating of Magnet Wire	10/26/2001	5/7/2002, 67 FR 30594.	
Part F	Surface Coating of Miscellaneous Metal Parts and Products.	10/26/2001	5/7/2002, 67 FR 30594.	
Part G	Surface Coating of Flat Wood Paneling	2/25/1983	10/31/1983, 48 FR 50078.	
Part H	Graphic Arts—Rotogravure Flexography	2/25/1983	10/31/1983, 48 FR 50078.	
Part N	Solvent Metal Cleaning	10/26/2001	5/7/2002, 67 FR 30594.	
Part O	Petroleum Liquid Storage in Fixed Roof Tanks	2/25/1983	10/31/1983, 48 FR 50078.	
Part P	Petroleum Liquid Storage in External Floating Roof Tanks.	2/25/1983	10/31/1983, 48 FR 50078.	
Part Q	Manufacture of Synthesized Pharmaceutical Products.	4/26/2013	8/16/2017, 82 FR 38825.	
Part R	Manufacture of Pneumatic Rubber Tires	2/25/1983	10/31/1983, 48 FR 50078.	
Part S	Cutback Asphalt	6/13/1979	12/16/1981, 46 FR 61268.	
Part T	Bulk Gasoline Terminals and Vapor Collection Systems.	2/25/1983	10/31/1983, 48 FR 50078.	
<i>Standard No. 5.2</i>	Control of Oxides of Nitrogen (NO _x)	6/25/2004	8/26/2005, 70 FR 50195.	

AIR POLLUTION CONTROL REGULATIONS FOR SOUTH CAROLINA—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Standard No. 7	Prevention of Significant Deterioration	6/26/2015	8/10/2017, 82 FR 37299.	EPA did not take action on the version of Regulation 61–62.5, Standard No. 7, paragraph (b)(32)(i)(a) state effective on December 27, 2013, included in a SIP revision submitted by the State on April 10, 2014, because this version contains changes to a phrase regarding ethanol production facilities that is not in the SIP. South Carolina submitted a SIP revision on April 14, 2009, that includes the phrase “except ethanol production facilities producing ethanol by natural fermentation under the North American Industry Classification System (NAICS) codes 325193 or 312140,” as amended in the Ethanol Rule (May 1, 2007), at Standard No. 7, paragraphs (b)(32)(i)(a), (b)(32)(iii)(b)(t), and (i)1(vii)(t) and at Standard No. 7.1, paragraphs (c)7(C)(xx) and (e)(T). EPA has not taken action to approve that portion of the April 14, 2009, SIP revision and incorporate this phrase into the SIP. The version of Standard No. 7, paragraphs (b)(32)(i)(a), (b)(32)(iii)(b)(t), and (i)1(vii)(t) and Standard No. 7.1, paragraphs (c)7(C)(xx) and (e)(T) was state effective on June 24, 2005 and conditionally approved by EPA on June 2, 2008, and were fully approved on June 23, 2011.
Standard No. 7.1	Nonattainment New Source Review	11/27/2015	8/10/2017, 82 FR 37299.	EPA did not take action on the version of Regulation 61–62.5, Standard No. 7, paragraph (b)(32)(i)(a) state effective on December 27, 2013, included in a SIP revision submitted by the State on April 10, 2014, because this version contains changes to a phrase regarding ethanol production facilities that is not in the SIP. South Carolina submitted a SIP revision on April 14, 2009, that includes the phrase “except ethanol production facilities producing ethanol by natural fermentation under the North American Industry Classification System (NAICS) codes 325193 or 312140,” as amended in the Ethanol Rule (May 1, 2007), at Standard No. 7, paragraphs (b)(32)(i)(a), (b)(32)(iii)(b)(t), and (i)1(vii)(t) and at Standard No. 7.1, paragraphs (c)7(C)(xx) and (e)(T). EPA has not taken action to approve that portion of the April 14, 2009, SIP revision and incorporate this phrase into the SIP. The version of Standard No. 7, paragraphs (b)(32)(i)(a), (b)(32)(iii)(b)(t), and (i)1(vii)(t) and Standard No. 7.1, paragraphs (c)7(C)(xx) and (e)(T) was state effective on June 24, 2005 and conditionally approved by EPA on June 2, 2008, and were fully approved on June 23, 2011.
Regulation No. 62.6	Control of Fugitive Particulate Matter	5/24/1985	10/3/1989, 54 FR 40659.	
Section I	Control of Fugitive Particulate Matter in Non-Attainment Areas.	11/27/2015	8/21/2017, 82 FR 39541.	
Section II	Control of Fugitive Particulate Matter in Problem Areas.	5/24/1985	10/3/1989, 54 FR 40659.	
Section III	Control of Fugitive Particulate Matter State-wide.	12/27/2013	8/21/2017, 82 FR 39541.	
Section IV	Effective Date	5/24/1985	10/3/1989, 54 FR 40659.	
Regulation No. 62.7	Good Engineering Practice Stack Height	5/23/1986	5/28/1987, 52 FR 19858.	
Section I	General	5/23/1986	5/28/1987, 52 FR 19858.	
Section II	Applicability	5/23/1986	5/28/1987, 52 FR 19858.	
Section III	Definitions and Conditions	5/23/1986	5/28/1987, 52 FR 19858.	
Section IV	Public Participation	5/23/1986	5/28/1987, 52 FR 19858.	
Regulation No. 62.96	Nitrogen Oxides (NO _x) and Sulfur Dioxide (SO ₂) Budget Trading Program General Provisions.	10/24/2008	10/16/2009, 74 FR 53167.	

AIR POLLUTION CONTROL REGULATIONS FOR SOUTH CAROLINA—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Regulation No. 62.97	Cross-State Air Pollution Rule (CSAPR) Trading Program.	8/25/2017	10/13/2017, 82 FR 47939.	
Regulation No. 62.99	Nitrogen Oxides (NO _x) Budget Program Requirements for Stationary Sources Not in the Trading Program.	5/24/2002	6/28/2002, 67 FR 43546.	
S.C. Code Ann.	Ethics Reform Act.			
Section 8–13–100(31) ...	Definitions	1/1/1992	8/1/2012, 77 FR 45492.	
Section 8–13–700(A) and (B).	Use of official position or office for financial gain; disclosure of potential conflict of interest.	1/1/1992	8/1/2012, 77 FR 45492.	
Section 8–13–730	Membership on or employment by regulatory agency of person associated with regulated business.	1/1/1992	8/1/2012, 77 FR 45492.	

(d) EPA-Approved State Source-Specific Requirements.

EPA-APPROVED SOUTH CAROLINA STATE SOURCE-SPECIFIC REQUIREMENTS

Name of source	Permit No.	State effective date	EPA approval date	Comments
Transcontinental Gas Pipeline Corporation Station 140.	2060–0179–CD	4/27/2004	4/23/2009, 74 FR 18471	This permit is incorporated in fulfillment of the NO _x SIP Call Phase II requirements for South Carolina.

* * * * *
 [FR Doc. 2018–06796 Filed 4–4–18; 8:45 am]
 BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[EPA–HQ–OAR–2017–0003; FRL–9976–40–OAR]

Air Quality Designations for the 2010 Sulfur Dioxide (SO₂) Primary National Ambient Air Quality Standard—Round 3—Supplemental Amendment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is withdrawing the designation of Unclassifiable for the Citrus County, Florida, area that the EPA originally promulgated on December 21, 2017, and is establishing a designation of Attainment/ Unclassifiable for that area as part of promulgating initial air quality designations for certain areas in the United States (U.S.) for the 2010 sulfur dioxide (SO₂) primary National Ambient Air Quality Standard (NAAQS). This action supplements our December 2017 action, which together comprise the third of four expected rounds of actions to designate areas of the U.S. for the

2010 SO₂ NAAQS. This third round of designations is based on application of the EPA’s nationwide analytical approach and technical analysis, including evaluation of monitoring data and air quality modeling, to determine the appropriate designation based on the weight of evidence for each area.

DATES: This final rule is effective on April 9, 2018.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2017–0003. All documents in the docket are listed in the index at <http://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information or other information whose disclosure is restricted by statute.

Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in the docket or in hard copy at the Docket, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The hours of operation at the EPA Docket Center are 8:30 a.m.– 4:30 p.m., Monday–Friday. The telephone number for the Public Reading Room is (202) 566–1744. Air dispersion modeling input and output files are too large to post in the docket or on the website and must be requested from the

EPA Docket Office or the Regional office contacts listed in the **FOR FURTHER INFORMATION CONTACT** section.

In addition, the EPA has established a website for the initial SO₂ designations rulemakings at: <https://www.epa.gov/sulfur-dioxide-designations>. The website includes the EPA’s final SO₂ designations, as well as state and tribal recommendation letters, the EPA’s modification letters, technical support documents, responses to comments and other related technical information.

FOR FURTHER INFORMATION CONTACT: For general questions concerning this action, please contact Liz Etchells, U.S. EPA, Office of Air Quality Planning and Standards, Air Quality Policy Division, C539–01, Research Triangle Park, NC 27709, telephone (919) 541–0253, email at etchells.elizabeth@epa.gov. The following EPA contacts can answer questions regarding areas in a particular EPA Regional office:

U.S. EPA Regional Office Contact:

Region IV—Twunjala Bradley, telephone (404) 562–9352, email at bradley.twunjala@epa.gov.

The public may inspect the rule and state-specific technical support information at the following locations:

Regional offices	States
R. Scott Davis, Chief, Air Planning and Implementation Branch, EPA Region IV, Sam Nunn Atlanta Federal Center, 61 Forsyth, Street SW, 12th Floor, Atlanta, GA 30303, (404) 562-9127.	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee.

The information can also be reviewed online at <https://www.epa.gov/sulfur-dioxide-designations> and in the public docket for these SO₂ designations at <https://www.regulations.gov> under Docket ID No. EPA-HQ-OAR-2017-0003.

SUPPLEMENTARY INFORMATION:

Table of Contents

The following is an outline of the Preamble.

- I. Preamble Glossary of Terms and Acronyms
- II. What is the purpose of this supplemental action?
- III. Designation Decision Based on 2015–2017 Data
- IV. Effective Date of This Action
- V. Comments Received During the Third Round Public Comment Period Regarding Changing Final Designations
- VI. Environmental Justice Concerns
- VII. Statutory and Executive Order Reviews
 - A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review
 - B. Executive Order 13771: Reducing Regulations and Controlling Regulatory Costs
 - C. Paperwork Reduction Act (PRA)
 - D. Regulatory Flexibility Act (RFA)
 - E. Unfunded Mandates Reform Act (UMRA)
 - F. Executive Order 13132: Federalism
 - G. Executive Order 13175: Consultation and Coordination With Indian Tribal Government.
 - H. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks
 - I. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution or Use
 - J. National Technology Transfer and Advancement Act (NTTAA)
 - K. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations
 - L. Congressional Review Act (CRA)
 - M. Judicial Review

I. Preamble Glossary of Terms and Acronyms

The following are abbreviations of terms used in the preamble.

- APA Administrative Procedure Act
 CAA Clean Air Act
 CFR Code of Federal Regulations
 DC District of Columbia
 E.O. Executive Order
 EPA Environmental Protection Agency
 FR Federal Register
 NAAQS National Ambient Air Quality Standards

- NTTAA National Technology Transfer and Advancement Act
 OMB Office of Management and Budget
 SO₂ Sulfur Dioxide
 RFA Regulatory Flexibility Act
 UMRA Unfunded Mandate Reform Act of 1995
 TAR Tribal Authority Rule
 TSD Technical Support Document
 U.S. United States

II. What is the purpose of this supplemental action?

On December 21, 2017, the Administrator of the EPA promulgated a third round of initial air quality designations for certain areas in the U.S. for the 2010 SO₂ primary NAAQS (83 FR 1098, January 9, 2018), in accordance with section 107(d) of the Clean Air Act (CAA). The list of newly designated areas in each state, the boundaries of each area, and the designation of each area, appear in the tables at the end of that action. Six areas were designated as Nonattainment; 23 areas were designated Unclassifiable; and the rest of the areas covered by the third round in all states, territories, and tribal lands were designated Attainment/Unclassifiable. The purpose of this action is to withdraw the SO₂ designation for one area that we designated as Unclassifiable in the December 2017 action and designate that area as Attainment/Unclassifiable.

The December 2017 action provided that these designations be effective 90 days from the date of publication in the **Federal Register** (*i.e.*, April 9, 2018). Because the designations were promulgated so close to the end of the 2017 calendar year, the EPA indicated in that action that if any state were to submit complete, quality-assured, certified 2017 data or related information about 2017 air quality to the EPA by February 28, 2018, that supported a change of the designation status for any area within that state, and if the EPA agreed that a change of designation status is appropriate, then we would withdraw the designation announced in the December 2017 action for the area and issue the appropriate designation that reflects the inclusion and analysis of such information. The EPA received such 2017 air quality information from the state of Florida prior to February 28, 2018, and this information is available in the docket

for this action.¹ Based on our evaluation of these data, in this supplemental action, the EPA is changing the designation status from Unclassifiable to Attainment/Unclassifiable for one portion of Citrus County, Florida. The portion of Citrus County affected by this surrounds the Crystal River Power Plant.²

The December 2017 action was based on application of the EPA's nationwide analytical approach and technical analysis, including evaluation of monitoring data and air quality modeling, to determine the appropriate designation based on the weight of evidence for each area, which are hereby incorporated by reference into this supplement of that action (*see* 83 FR at 1099–1100).

Modification to the initial designation for this area does not represent a “redesignation” because this change is a withdrawal of the initial designation prior to its effective date and issuance of a new initial designation. We are making this change to reflect the most recent 3 years of complete, quality-assured, and certified data that have become available prior to the effective date of the designations.

In the December 2017 action, we also stated that if certified 2017 data indicated a violation of the standard in an area we initially designated as Attainment/Unclassifiable or Unclassifiable, the EPA would evaluate the reason for the violation and determine the appropriate course of action, including the possibility of redesignation to Nonattainment. No states submitted certified 2017 data by February 28, 2018, to indicate a violation of the standard in any area initially designated as Attainment/ Unclassifiable or Unclassifiable.

III. Designation Decision Based on 2015–2017 Data

On August 22, 2017, the EPA indicated an intent to designate a portion of Citrus County, Florida as Nonattainment based on the most recent three years, at that time, of complete, quality-assured, certified data from a monitor (2014–2016) indicating a

¹ Documents EPA-HQ-OAR-2017-0003-0701, EPA-HQ-OAR-2017-0003-0702, EPA-HQ-OAR-2017-0003-0703, and EPA-HQ-OAR-2017-0003-0704 in Docket ID No. EPA-HQ-OAR-2017-0003.

² Specifically, the boundary is comprised of census block groups 4504004 and 4505002.

violating 1-hr SO₂ design value of 81 parts per billion (ppb). The EPA explained in its Technical Support Document (TSD) for the intended designations (*See*, Chapter 9, page 101)³ that if, prior to the effective date of designations, the Citrus County SO₂ monitor produced a valid attaining design value for the 2015–2017 period, and credible modeling was provided for the area that indicated attainment for the current 3-year period, then the EPA would change the designation of the area to Attainment/Unclassifiable and the designated area would be Citrus County in its entirety. Prior to the final designations in the December 2017 action, in October and November of 2017, Florida provided a new air quality modeling analysis to characterize the maximum 1-hour SO₂ concentrations in the area and demonstrated attainment throughout the modeled area, (*See*, Chapter 9, pages 4–49 of the TSD).⁴ That modeling utilized emissions that are representative of actual emissions from the most recent available 3-year period, July 2014 through June 2017. In December 2017, Florida also submitted early-certified monitoring data through December 9, 2017, at monitoring AQS Site # 12–017–0006 in Citrus County, Florida. The EPA indicated in the TSD that if the monitor did not record 4 daily maximum 1-hour averages of 90 ppb or higher between December 10 and December 31, 2017, then the 4th highest value would be 89 ppb or less and the design value calculation for 2015–2017 would be lower than the NAAQS. Based on the above information, the EPA determined there was uncertainty whether the area was meeting the 2010 SO₂ primary NAAQS based on the available monitoring data and modeling analyses, and designated a portion of Citrus County as Unclassifiable in the December 2017 final action.

The state of Florida submitted complete, quality-assured, and certified air quality monitoring data for calendar year 2017 to the EPA by the prescribed deadline of February 28, 2018. The Florida Department of Environmental Protection (DEP) submitted a data certification letter and reports, which

³ Technical Support Document: Intended Round 3 Area Designations for the 2010 1-Hour SO₂ Primary National Ambient Air Quality Standard for Florida, August 2017. https://www.epa.gov/sites/production/files/2017-08/documents/9_fl_so2_rd3-final.pdf.

⁴ Technical Support Document: Final Round 3 Area Designations for the 2010 1-Hour SO₂ Primary National Ambient Air Quality Standard for Florida, December 2017. <https://www.epa.gov/sites/production/files/2017-12/documents/09-fl-so2-rd3-final.pdf>.

can be found in the docket,⁵ that show a valid, attaining 1-hour SO₂ design value of 58 ppb based on complete, certified 2015–2017 data. The monitor at AQS Site # 12–017–0006 is located 3.4 miles east of Crystal River Power Plant (CRPP). The monitor has not been demonstrated to be located to characterize the maximum 1-hour SO₂ concentrations near CRPP or the area. Combining Florida's October and November 2017 modeling, discussed above, with the inclusion of the 2017 data submitted for the monitor showing the attaining 3-year design values for 2015–2017, the EPA agrees with changing the initial designation for this area with respect to the 2010 SO₂ primary NAAQS.

Based on complete, quality-assured and certified air quality monitoring data from 2017 submitted by Florida DEP prior to the prescribed February 28, 2018, deadline, and modeling showing attainment of the 1-hour SO₂ primary NAAQS in the area, the EPA is changing the initial designation status for this one area. As noted in Section II of this preamble, the EPA provided a process in the December 2017 final action for considering 2017 air quality data in the event that such data would support a change to the initial designation for an area. Pursuant to this process, the EPA is withdrawing the initial designation for the Unclassifiable area in one portion of Citrus County, Florida. The EPA is changing the initial designation of this portion of Citrus County from Unclassifiable to Attainment/Unclassifiable, thereby designating the entirety of Citrus County as Attainment/Unclassifiable. Procedurally, this change in the initial designation is consistent with our early data certification and evaluation process, as described earlier in this document and in the December 2017 action. The table at the end of this final rule (amendment to 40 CFR 81.310—Florida) lists the entire state, including the area for which the EPA is changing the initial designation. This action does not impact any areas of Indian country.

IV. Effective Date of This Action

The effective date of designation of the area addressed in this action is April 9, 2018, the same effective date as the December 2017 final action (83 FR 1098). The EPA is making these changes without notice and comment in accordance with section 107(d)(2) of the CAA, which exempts the promulgation

⁵ Documents EPA–HQ–OAR–2017–0003–0701, EPA–HQ–OAR–2017–0003–0702, EPA–HQ–OAR–2017–0003–0703, and EPA–HQ–OAR–2017–0003–0704 in Docket ID No. EPA–HQ–OAR–2017–0003.

of these designations from the notice and comment provisions of the Administrative Procedure Act (APA). Section 553(d) of the APA generally provides that rulemakings shall not be effective less than 30 days after publication except where the agency finds good cause for an earlier date. 5 U.S.C. 553(d)(1) and (3). Were the EPA not to expedite the effective date of today's action, and instead make the effective date 30 days after publication, there would be confusion regarding the appropriate designation for the affected area in Florida, and the state and the EPA would likely have to expend unnecessary time and resources at a later time to resolve that confusion. The effective date for this action is, therefore, justified because the EPA finds that there is good cause to make the rule effective immediately because it is in the public interest to avoid the potential delay and waste of resources associated with allowing the designations in the December 2017 action to go into effect for this area and the rule does not contain new requirements for which affected entities need time to prepare.

V. Comments Received During the Third Round Public Comment Period Regarding Changing Final Designations

During the public comment period for the third round of designations, Sierra Club submitted comments alleging that once the EPA provides a NAAQS designation for an area no later than December 31, 2017, it can only redesignate that area by following the applicable legal provisions for redesignation in section 107(d)(3)(E) of the CAA.⁶

The “legal deadline” of December 31, 2017, Sierra Club refers to is a consent decree deadline by which the EPA must *sign* its notice of promulgation of final designations for publication in the **Federal Register**. The commenter is correct that section 107(d)(3)(E) of the CAA provides the legal requirements and mechanism for redesignating an area once it is designated. However, such redesignation hinges upon there being such a final and effective designation in place for an area, which is not at the time of signature by the EPA or publication of the **Federal Register** notice promulgating such designations. Notably, section 107(d)(2) of the CAA does not contain publication and effective date requirements applicable for promulgation of

⁶ Sierra Club's comment on this issue also raised questions regarding the relevant data for Citrus County. Those issues are addressed by the technical information provided earlier in this document and in the supporting TSD.

designations. The commenter, therefore, incorrectly asserts that the December 31, 2017, consent decree deadline is when “EPA makes its designation.”

Accordingly, the redesignations process under section 107(d)(3)(E) of the CAA is not yet applicable at the legal deadline referenced by commenter. The EPA implemented this approach previously for the final designations for the 1997 and 2006 PM_{2.5} NAAQS (70 FR 19844 and 80 FR 18535). Sierra Club’s comment also addresses an action that the EPA is not taking at this time, namely to revise a designation from Nonattainment to Attainment or Unclassifiable, and, thus, is not relevant to this supplemental designation action and not addressed here.

VI. Environmental Justice Concerns

When the EPA establishes a new or revised NAAQS, the CAA requires the EPA to designate all areas of the U.S. as either Nonattainment, Attainment, or Unclassifiable. Area designations address environmental justice concerns by ensuring that the public is properly informed about the air quality in an area. In locations where air quality does not meet the NAAQS, the CAA requires relevant state authorities to initiate appropriate air quality management actions to ensure that all those residing, working, attending school, or otherwise present in those areas are protected, regardless of minority and economic status. This action includes a revision to the December 21, 2017, designation for the Citrus County, Florida area based on the availability of recent air quality data showing that the area meets the 2010 SO₂ primary NAAQS.

VII. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is exempt from review by the Office of Management and Budget because it responds to the CAA requirement to promulgate air quality designations after promulgation of a new or revised NAAQS.

B. Executive Order 13771: Reducing Regulations and Controlling Regulatory Costs

This action is not an Executive Order 13771 regulatory action because actions such as air quality designations after promulgating a new or revised NAAQS are exempt under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA. This action fulfills the non-discretionary duty for the EPA to promulgate air quality designations after promulgation of a new or revised NAAQS and does not contain any information collection activities.

D. Regulatory Flexibility Act (RFA)

This designation action under CAA section 107(d) is not subject to the RFA. The RFA applies only to rules subject to notice-and-comment rulemaking requirements under the APA, 5 U.S.C. 553, or any other statute. Section 107(d)(2)(B) of the CAA explicitly provides that designations are exempt from the notice-and-comment provisions of the APA. In addition, designations under CAA section 107(d) are not among the list of actions that are subject to the notice-and-comment rulemaking requirements of CAA section 307(d).

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538 and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any state, local, or tribal governments, or the private sector.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. The division of responsibility between the federal government and the states for purposes of implementing the NAAQS is established under the CAA.

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Government.

This action does not have tribal implications, as specified in Executive Order 13175. This action concerns the designation of certain areas in the U.S. for the 2010 SO₂ NAAQS. The CAA provides for states, territories, and eligible tribes to develop plans to regulate emissions of air pollutants within their areas, as necessary, based on the designations. The Tribal Authority Rule (TAR) provides tribes the opportunity to apply for eligibility to develop and implement CAA programs, such as programs to attain and maintain the SO₂ NAAQS, but it

leaves to the discretion of the tribe the decision of whether to apply to develop these programs and which programs, or appropriate elements of a program, the tribe will seek to adopt. This rule does not have a substantial direct effect on one or more Indian tribes. It would not create any additional requirements beyond those of the SO₂ NAAQS. This rule does not impact areas of Indian country. Furthermore, this rule does not affect the relationship or distribution of power and responsibilities between the federal government and Indian tribes. The CAA and the TAR establish the relationship of the federal government and tribes in developing plans to attain the NAAQS, and this rule does nothing to modify that relationship. Thus, Executive Order 13175 does not apply.

H. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

The EPA interprets Executive Order 13045 as applying to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it does not establish an environmental standard intended to mitigate health or safety risks.

I. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution or Use

This action is not subject to Executive Order 13211 because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards.

K. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

The EPA believes that this action does not have disproportionately high and adverse human health or environmental effects on minority populations, low-income populations and/or indigenous peoples, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994). The documentation for this determination is contained in Section VI of this preamble, “Environmental Justice Concerns.”

L. Congressional Review Act (CRA)

This action is subject to the CRA, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the U.S. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

M. Judicial Review

Section 307(b)(1) of the CAA indicates which Federal Courts of Appeal have venue for petitions of review of final actions by the EPA. This section provides, in part, that petitions for review must be filed in the Court of Appeals for the District of Columbia Circuit: (i) When the agency action consists of “nationally applicable regulations promulgated, or final actions taken, by the Administrator,” or (ii) when such action is locally or regionally applicable, if “such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination.”

This final action withdrawing the designation and promulgating a new initial designation of one area for the 2010 SO₂ primary NAAQS is “nationally applicable” within the meaning of CAA section 307(b)(1). As explained in the preamble, this final action supplements the December 2017 final action taken by the EPA to issue a third round of designations for areas across the U.S. for the 2010 SO₂ primary NAAQS. The EPA determined the December 2017 final action was “nationally applicable” within the meaning of CAA section 307(b)(1). 83 FR at 1104. The rulemaking docket, EPA-HQ-OAR-2017-0003, is the same docket for both the December 2017 final action and for this supplemental action, with the relevant difference being that in addition to the materials it contained regarding this Florida area generated through December 21, 2017—the date that action was signed by the Administrator—it now also contains the

supplemental information submitted by Florida related to this area. Both the January 9, 2018, action and this supplemental action were proposed in a single September 5, 2017, notice announcing the EPA’s intended Round 3 designations and were taken to discharge a duty under the court order to issue a round of designations of areas with sources meeting common criteria in the court order. As explained in the December 2017 final rule, at the core of that final action and this supplemental final action is the EPA’s nationwide analytical approach and technical analysis, including evaluation of monitoring data and air quality modeling, applied to the available evidence for each area, including the EPA’s interpretation of statutory terms in the CAA such as the definitions of Nonattainment, Attainment, and Unclassifiable under section 107(d)(1) of the CAA, and its application of that interpretation to areas across the country. Accordingly, the Administrator has determined that this supplemental final action, which results from the same proposed action as the December 2017 final action, is nationally applicable and is hereby publishing that finding in the **Federal Register**.

For the same reasons discussed above that make the final rule nationally applicable, the Administrator also is finding that this supplemental final action is based on a determination of nationwide scope and effect for the purposes of CAA section 307(b)(1). As previously explained in the December 2017 final action, in the report on the 1977 Amendments that revised section 307(b)(1) of the CAA, Congress noted that the Administrator’s determination that an action is of “nationwide scope or effect” would be appropriate for any action that has a scope or effect beyond a single judicial circuit. H.R. Rep. No. 95–294 at 323, 324, *reprinted* in 1977 U.S.C.C.A.N. 1402–03. Here, the scope and effect of the December 2017 final action and this supplemental final

action combined will extend to numerous judicial circuits since the designations will apply to areas across the country. In these circumstances, CAA section 307(b)(1) and its legislative history calls for the Administrator to find the action to be of “nationwide scope or effect” and for venue to be in the D.C. Circuit. Therefore, like the final December 2017 final action it supplements, *see* 83 FR at 1104, this supplement to that final action is based on a determination by the Administrator of nationwide scope or effect, and the Administrator is, hereby, publishing that finding in the **Federal Register**.

Thus, any petitions for review of this supplemental final action must be filed in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days from the date this supplemental final action is published in the **Federal Register**.

List of Subjects in 40 CFR Part 81

Air pollution control, National parks, Wilderness areas.

Dated: March 28, 2018.

E. Scott Pruitt,
Administrator.

For the reasons set forth in the preamble, 40 CFR part 81 is amended as follows:

PART 81—DESIGNATIONS OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

Subpart C—Section 107 Attainment Status Designations

■ 2. Section 81.310 is amended by revising the table titled, “Florida—2010 Sulfur Dioxide NAAQS (Primary)” to read as follows:

§ 81.310 Florida.

* * * * *

FLORIDA—2010 SULFUR DIOXIDE NAAQS (PRIMARY)

Designated area	Designation	
	Date ¹	Type
Hillsborough County, FL ² Hillsborough County (part) That portion of Hillsborough County encompassed by the polygon with the vertices using Universal Traverse Mercator (UTM) coordinates in UTM zone 17 with datum NAD83 as follows: (1) Vertices-UTM Easting (m) 358581, UTM Northing 3076066; (2) vertices-UTM Easting (m) 355673, UTM Northing 3079275; (3) UTM Easting (m) 360300, UTM Northing 3086380; (4) vertices-UTM Easting (m) 366850, UTM Northing 3086692; (5) vertices-UTM Easting (m) 368364, UTM Northing 3083760; and (6) vertices-UTM Easting (m) 365708, UTM Northing 3079121	10/4/13	Nonattainment.
Hillsborough—Polk County, FL ³		Nonattainment.

FLORIDA—2010 SULFUR DIOXIDE NAAQS (PRIMARY)—Continued

Designated area	Designation	
	Date ¹	Type
Hillsborough County (part) Polk County (part) That portion of Hillsborough and Polk Counties encompassed by the polygon with the vertices using Universal Traverse Mercator (UTM) coordinates in UTM zone 17 with datum NAD83 as follows: 390,500 E, 3,073,500 N; 390,500 E, 3,083,500 N; 400,500 E, 3,083,500 N; 400,500 E, 3,073,500 N	10/4/13	Nonattainment.
Nassau County, FL ² Nassau County (part) That portion of Nassau County encompassing the circular boundary with the center being UTM Easting 455530 meters, UTM Northing 3391737 meters, UTM zone 17, using the NAD83 datum (the location of the violating ambient monitor) and the radius being 2.4 kilometers		
Mulberry, FL Area ³ Hillsborough County (part) Polk County (part) That portion of Hillsborough and Polk Counties encompassed by the polygon with the vertices using Universal Traverse Mercator (UTM) coordinates in UTM zone 17 with datum NAD83 starting with the Northwest Corner and proceeding to the Northeast as follows: 390,500 E, 3,083,500 N; 410,700 E, 3,091,600 N; 412,900 E, 3,089,800 N; 412,900 E, 3,084,600 N; 400,500 E, 3,073,500 N; 400,500 E, 3,083,500 N		Unclassifiable.
Rest of State: ³		
Alachua County		Attainment/Unclassifiable.
Baker County		Attainment/Unclassifiable.
Bay County		Attainment/Unclassifiable.
Bradford County		Attainment/Unclassifiable.
Brevard County		Attainment/Unclassifiable.
Broward County		Attainment/Unclassifiable.
Calhoun County		Attainment/Unclassifiable.
Charlotte County		Attainment/Unclassifiable.
Citrus County		Attainment/Unclassifiable.
Clay County		Attainment/Unclassifiable.
Collier County		Attainment/Unclassifiable.
Columbia County		Attainment/Unclassifiable.
DeSoto County		Attainment/Unclassifiable.
Dixie County		Attainment/Unclassifiable.
Duval County		Attainment/Unclassifiable.
Escambia County		Attainment/Unclassifiable.
Flagler County		Attainment/Unclassifiable.
Franklin County		Attainment/Unclassifiable.
Gadsden County		Attainment/Unclassifiable.
Gilchrist County		Attainment/Unclassifiable.
Glades County		Attainment/Unclassifiable.
Gulf County		Attainment/Unclassifiable.
Hamilton County		Attainment/Unclassifiable.
Hardee County		Attainment/Unclassifiable.
Hendry County		Attainment/Unclassifiable.
Hernando County		Attainment/Unclassifiable.
Highlands County		Attainment/Unclassifiable.
Hillsborough County (part) (remainder)		Attainment/Unclassifiable.
Holmes County		Attainment/Unclassifiable.
Indian River County		Attainment/Unclassifiable.
Jackson County		Attainment/Unclassifiable.
Jefferson County		Attainment/Unclassifiable.
Lafayette County		Attainment/Unclassifiable.
Lake County		Attainment/Unclassifiable.
Lee County		Attainment/Unclassifiable.
Leon County		Attainment/Unclassifiable.
Levy County		Attainment/Unclassifiable.
Liberty County		Attainment/Unclassifiable.
Madison County		Attainment/Unclassifiable.
Manatee County		Attainment/Unclassifiable.
Marion County		Attainment/Unclassifiable.
Martin County		Attainment/Unclassifiable.
Miami-Dade County		Attainment/Unclassifiable.
Monroe County		Attainment/Unclassifiable.
Nassau County (part) (remainder)		Attainment/Unclassifiable.
Okaloosa County		Attainment/Unclassifiable.
Okeechobee County		Attainment/Unclassifiable.
Orange County		Attainment/Unclassifiable.

FLORIDA—2010 SULFUR DIOXIDE NAAQS (PRIMARY)—Continued

Designated area	Designation	
	Date ¹	Type
Osceola County	Attainment/Unclassifiable.
Palm Beach County	Attainment/Unclassifiable.
Pasco County	Attainment/Unclassifiable.
Pinellas County	Attainment/Unclassifiable.
Polk County (part) (remainder)	Attainment/Unclassifiable.
Putnam County	Attainment/Unclassifiable.
St. Johns County	Attainment/Unclassifiable.
St. Lucie County	Attainment/Unclassifiable.
Santa Rosa County	Attainment/Unclassifiable.
Sarasota County	Attainment/Unclassifiable.
Seminole County	Attainment/Unclassifiable.
Sumter County	Attainment/Unclassifiable.
Suwannee County	Attainment/Unclassifiable.
Taylor County	Attainment/Unclassifiable.
Union County	Attainment/Unclassifiable.
Volusia County	Attainment/Unclassifiable.
Wakulla County	Attainment/Unclassifiable.
Walton County	Attainment/Unclassifiable.
Washington County	Attainment/Unclassifiable.

¹ This date is 4/9/2018, unless otherwise noted.

² Excludes Indian country located in each area, if any, unless otherwise specified.

³ Includes any Indian country in each county or area, unless otherwise specified. The EPA is not determining the boundaries of any area of Indian country in this table, including any area of Indian country located in the larger designation area. The inclusion of any Indian country in the designation area is not a determination that the state has regulatory authority under the Clean Air Act for such Indian country.

* * * * *
 [FR Doc. 2018-06876 Filed 4-4-18; 8:45 am]
 BILLING CODE 6560-50-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 170817779-8161-02]

RIN 0648-XG147

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by catcher vessels using trawl gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the B season apportionment of the 2018 Pacific cod total allowable catch allocated to catcher vessels using trawl gear in the BSAI.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), April 3, 2018, through 1200 hours, A.l.t., June 10, 2018.

FOR FURTHER INFORMATION CONTACT: Josh Keaton, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The B season apportionment of the 2018 Pacific cod total allowable catch (TAC) allocated to catcher vessels using trawl gear in the BSAI is 4,425 metric tons (mt) as established by the final 2018 and 2019 harvest specifications for groundfish in the BSAI (83 FR 8365, February 27, 2018).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the B season apportionment of the 2018 Pacific cod TAC allocated to trawl catcher vessels in the BSAI will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 3,425 mt and is setting aside the remaining 1,000 mt as incidental catch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this

directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by catcher vessels using trawl gear in the BSAI.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of directed fishing for Pacific cod by catcher vessels using trawl gear in the BSAI. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 30, 2018.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of

prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 2, 2018.

Jennifer M. Wallace,

Acting Director, Office of Sustainable

Fisheries, National Marine Fisheries Service.

[FR Doc. 2018-06987 Filed 4-2-18; 4:15 pm]

BILLING CODE 3510-22-P

Proposed Rules

Federal Register

Vol. 83, No. 66

Thursday, April 5, 2018

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.

FEDERAL HOUSING FINANCE AGENCY

12 CFR Chapter XII

[No. 2018–N–03]

Notice of Regulatory Review

AGENCY: Federal Housing Finance Agency.

ACTION: Request for comment.

SUMMARY: The Federal Housing Finance Agency (FHFA) is issuing a notice of a regulatory review to be conducted in accordance with the process set forth in its Regulatory Review Plan published in February 2012, and requesting comments on how its regulations may be made more effective and less burdensome.

DATES: Written comments on this notice of regulatory review must be received no later than June 4, 2018.

ADDRESSES: You may submit your comments, identified by “Regulatory Review [No. 2018–N–03]”, by any of the following methods:

- *Agency Website:* www.fhfa.gov/open-for-comment-or-input.
- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments. If you submit your comment to the Federal eRulemaking Portal, please also send it by email to FHFA at RegComments@fhfa.gov to ensure timely receipt by FHFA. Please include “Regulatory Review [No. 2018–N–03]” in the subject line of the message.

- *U.S. Mail, United Parcel Service, Federal Express, or Other Mail Service:* The mailing address for comments is: Alfred M. Pollard, General Counsel, Attention: Comments/Regulatory Review [No. 2018–N–03], Federal Housing Finance Agency, Constitution Center, (OGC) Eighth Floor, 400 Seventh Street SW, Washington, DC 20219.

- *Hand Delivered/Courier:* The hand delivery address is: Alfred M. Pollard, General Counsel, Attention: Comments/Regulatory Review [No. 2018–N–03], Federal Housing Finance Agency,

Constitution Center, (OGC) Eighth Floor, 400 Seventh Street SW, Washington, DC 20219. Deliver the package to the Seventh Street entrance Guard Desk, First Floor, on business days between 9 a.m. and 5 p.m.

All comments received will be posted without change on FHFA’s website at <http://www.fhfa.gov>, and will include any personal information provided, such as name, address (mailing and email), and telephone numbers. In addition, copies of all comments received will be available for examination by the public through the electronic rulemaking docket for this proposed rule also located on the FHFA website.

FOR FURTHER INFORMATION CONTACT:

Ellen S. Bailey, Managing Associate General Counsel, ellen.bailey@fhfa.gov, (202) 649–3056 (this is not a toll-free number), Federal Housing Finance Agency, Constitution Center, (OGC) Eighth Floor, 400 Seventh Street SW, Washington, DC 20219. The telephone number for the Telecommunications Device for the Hearing Impaired is (800) 877–8339.

SUPPLEMENTARY INFORMATION:

I. Background; FHFA’s Regulatory Review Plan

FHFA was established by the Housing and Economic Recovery Act of 2008, Public Law 110–289, to supervise and regulate the Federal National Mortgage Association (Fannie Mae), the Federal Home Loan Mortgage Corporation (Freddie Mac) (together, the Enterprises), the Federal Home Loan Banks (the Banks), and the Office of Finance of the Federal Home Loan Bank System (OF). In 2012, FHFA developed its Regulatory Review Plan (Review Plan) after considering principles set forth in Executive Order 13579, “Regulation and Independent Regulatory Agencies” (July 11, 2011).¹ Executive Order 13579 requested—but did not require—independent regulatory agencies, such as FHFA, to develop, release to the public, and implement a plan for the periodic review of their existing significant regulations to determine whether any regulation should be modified, streamlined, expanded, or repealed to make the agency’s regulatory program more

effective or less burdensome in achieving its objectives.

Under its Review Plan, FHFA reviews its regulations at least every five years, except for those regulations that were adopted or substantially amended within the two years prior to issuance of a Notice of Regulatory Review and rules of agency organization, procedure, or practice. The Review Plan suggests factors that commenters should consider to assist FHFA, including factors related to legal, regulatory, or market developments, regulatory overlap, less burdensome alternatives, and clarity of regulatory requirements.

II. Results of the 2013 Regulatory Review

FHFA’s first regulatory review was initiated by a Notice of Regulatory Review and request for comments in April 2013,² and considered 44 regulations. FHFA received two comment letters: a joint letter from all of the Banks that addressed the Affordable Housing Program, capital regulation, liabilities, and new business activities, and a letter from a state-chartered credit union on compliance requirements for organizations that deliver loans for sale to Fannie Mae and Freddie Mac, but that did not identify any particular regulation for revision. FHFA also conducted an internal review of its regulations that were subject to the five-year Review Plan, seeking staff input on the same questions on which the Review Notice sought public comment.

FHFA evaluated all of the comments that it received and determined that some amendments were warranted. Recent rulemakings to amend FHFA’s regulations on new business activities and affordable housing programs of the Banks included proposed amendments that addressed concerns raised in the Banks’ joint comment letter.³ Revised liquidity guidance, which was also requested by the Banks, is under development.

² 78 FR 23507 (Apr. 19, 2013).

³ For revisions to the regulation on New Business Activities of the Banks, see 81 FR 57499, 57500–02 (Aug. 23, 2016) (Notice of Proposed Rulemaking) and 81 FR 91690 (Dec. 19, 2016) (Final Rule), amending 12 CFR part 1272. For proposed amendments to the Affordable Housing Program (AHP) regulation, see 83 FR 11344 (Mar. 14, 2018), which would amend 12 CFR parts 1290 and 1291.

¹ 77 FR 10351 (Feb. 22, 2012) (FHFA Regulatory Review Plan); see also 76 FR 41585 (July 14, 2011) (E.O. 13579).

III. FHFA's 2018 Regulatory Review; Request for Comment

Consistent with its Review Plan, FHFA's next regulatory review must begin not later than five years after its prior review, or by March or April 2018. All current regulations—except, as noted, rules of agency organization, procedure, or practice, or regulations adopted or substantially amended since April 2016 (meaning, within the past two years)—are subject to review. Members of the public may comment on recently adopted or amended regulations, and FHFA will take those comments into account as appropriate. FHFA does not anticipate responding to individual comments.

FHFA's regulations are published in Chapter XII of Title 12 of the Code of Federal Regulations, except for those regulations of predecessor agencies which FHFA has not yet moved.⁴ FHFA's regulations are also posted on the FHFA internet website at <http://www.fhfa.gov>.

FHFA hereby requests comment on its regulations for purposes of improving their effectiveness and reducing their burden. Factors that FHFA's Review Plan identifies as relevant to the review, and which FHFA suggests should guide commenters, are:

(1) Legal or regulatory developments—including new laws, executive orders, or judicial decisions that have been adopted since the promulgation of a regulation—that make a regulation inefficient, obsolete, contrary to controlling legal precedent, or unduly burdensome;

(2) Marketplace developments, technological evolution, and related changes that may have rendered a regulation, in whole or in part, inefficient, outmoded, or outdated;

⁴ FHFA currently administers three regulations that are not rules of agency organization, procedure, or practice that are located outside of Chapter XII. These are a regulation of the former Federal Housing Finance Board on Federal Home Loan Bank Capital Requirements, at 12 CFR part 932; a regulation of the former Office of Federal Housing Enterprise Oversight on Enterprise Capital, at 12 CFR part 1750; and a regulation of the Department of Housing and Urban Development on public-use databases and public information provided by the Enterprises, at 24 CFR part 81, subpart F. FHFA proposed amending the Bank Capital Requirements regulation in 2017 (82 FR 30776 (July 3, 2017)), and is taking comments received on that proposal into account to develop a final rule. FHFA will not delay publication of that final rule based solely on this regulatory review. The Enterprise Capital Requirements regulation has been suspended. See FHFA News Release, "FHFA Announces Suspension of Capital Classifications" (Oct. 9, 2008). FHFA is currently developing a proposed rule on public-use databases and public information provided by the Enterprises and will solicit comments when that notice of proposed rulemaking is published.

(3) The extent to which provisions of the regulation are written in plain language or need clarification;

(4) Compelling evidence that a consolidation of two or more regulations, elimination of a duplicative regulation, or other revision to regulatory requirements would facilitate compliance by Fannie Mae, Freddie Mac, the Banks, or OF with the regulation, or would improve supervision by FHFA of Fannie Mae, Freddie Mac, the Banks, or OF; and

(5) Demonstration of a better alternative method to effect a regulatory purpose or requirement, supported by compelling evidence of significantly less intrusive means or of a substantially more efficient method of accomplishing the same supervisory purpose.

In accordance with FHFA's Review Plan, the 2018 regulatory review process will be conducted by the FHFA Office of General Counsel, which will review all comments received. FHFA's Office of General Counsel consults with other FHFA offices and divisions. A review and report of findings and recommendations will be provided to the FHFA Director on a timely basis. The report of findings and recommendations will be privileged and confidential. After receiving the report of findings and recommendations, the Director will determine what steps may be necessary to relieve any unnecessary burden, including amendment to or repeal of existing regulations or issuance of less formal guidance.

The 2018 FHFA regulatory review is not a formal or informal rulemaking proceeding under the Administrative Procedure Act, and creates no right of action against FHFA. FHFA's determination whether to conduct or not to conduct a review of a regulation and any determination, finding, or recommendation resulting from any review is not a final agency action and therefore is not subject to judicial review.

Dated: March 30, 2018.

Melvin L. Watt,

Director, Federal Housing Finance Agency.

[FR Doc. 2018-06918 Filed 4-4-18; 8:45 am]

BILLING CODE 8070-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2018-0254; Product Identifier 2017-SW-116-AD]

RIN 2120-AA64

Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2017-13-03 for Bell Helicopter Textron Canada Limited (Bell) Model 429 helicopters. AD 2017-13-03 requires adding an identification number to life-limited rod ends that do not have a serial number (S/N). Since we issued AD 2017-13-03, an additional life-limited rod end was identified that is affected by the same unsafe condition. This proposed AD would retain the requirements of AD 2017-13-03 and revise the Applicability paragraph by adding that rod end. The actions of this proposed AD are intended to address an unsafe condition on these products.

DATES: We must receive comments on this proposed AD by June 4, 2018.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Docket:* Go to <http://www.regulations.gov>. Follow the online instructions for sending your comments electronically.

- *Fax:* 202-493-2251.

- *Mail:* Send comments to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

- *Hand Delivery:* Deliver to the "Mail" address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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-2018-0254; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the Transport Canada AD, the economic evaluation, any comments received and other information. The street address for Docket Operations

(telephone 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

For service information identified in this proposed rule, contact Bell Helicopter Textron Canada Limited, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4; telephone (450) 437-2862 or (800) 363-8023; fax (450) 433-0272; or at <http://www.bellcustomer.com/files/>. You may review this referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177.

FOR FURTHER INFORMATION CONTACT: Matt Fuller, Senior Aviation Safety Engineer, Safety Management Section, Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5110; email matt.fuller@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to participate in this rulemaking by submitting written comments, data, or views. We also invite comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should send only one copy of written comments, or if comments are filed electronically, commenters should submit only one time.

We will file in the docket all comments that we receive, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, we will consider all comments we receive on or before the closing date for comments. We will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. We may change this proposal in light of the comments we receive.

Discussion

We issued AD 2017-13-03, Amendment 39-18933 (82 FR 28397, June 22, 2017) (AD 2017-13-03) for Bell Model 429 helicopters, S/N 57001 through 57260, with a pylon restraint spring assembly (spring assembly) forward rod end assembly (rod end) part number (P/N) 427-010-210-105 installed. AD 2017-13-03 requires

cleaning and marking each forward rod end with the S/N of the spring assembly. AD 2017-13-03 also prohibits the installation of forward rod end P/N 427-010-210-105 on any helicopter unless it has been marked. The requirements of AD 2017-13-03 are intended to prevent a forward rod end from remaining in service after reaching its life limit which could result in failure of the forward rod end and subsequent loss of control of a helicopter.

Actions Since AD 2017-13-03 Was Issued

Since we issued AD 2017-13-03, an additional life-limited rod end P/N has been identified that is affected by the same unsafe condition. Aft rod end P/N 427-010-210-105 also needs to be marked with the S/N of the spring assembly since it does not have a S/N.

Accordingly, Transport Canada, which is the aviation authority for Canada, issued AD No. CF-2015-15R1, Revision 1, dated July 28, 2017, to correct this unsafe condition for Bell Model 429 helicopters, S/Ns 57001 through 57260. Transport Canada advises that, per its regulations, life-limited parts must be marked with their P/N and S/N. Transport Canada further states that spring assembly rod end P/Ns 427-010-210-105 and -109 have a life limit of 5,000 hours; however, they are not serialized, causing difficulties in tracking accumulated air time. According to Transport Canada, this condition could result in a rod end remaining in service beyond its life limit. Therefore, the Transport Canada AD requires adding identification markings on each spring assembly rod end.

FAA's Determination

These helicopters have been approved by the aviation authority of Canada and are approved for operation in the United States. Pursuant to our bilateral agreement with Canada, Transport Canada, its technical representative, has notified us of the unsafe condition described in its AD. We are proposing this AD because we evaluated all known relevant information and determined that an unsafe condition is likely to exist or develop on other products of the same type design.

Related Service Information Under 1 CFR Part 51

We reviewed Bell Helicopter Alert Service Bulletin 429-15-19, dated February 26, 2015, for Model 429 helicopters. This service information specifies procedures for permanently marking each forward and aft rod end

with the S/N of the spring assembly. This service information applies to certain serial-numbered helicopters, as subsequent helicopters will have these actions performed during the manufacturing process.

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.

Other Related Service Information

We also reviewed Bell Helicopter Maintenance Manual BHT-429-MM-1, Chapter 4, Airworthiness Limitations Schedule, Revision 26, approved September 9, 2016, which specifies airworthiness life limits and inspection intervals for parts installed on Model 429 helicopters.

Proposed AD Requirements

This proposed AD would require cleaning and marking each forward and aft rod end with the S/N of the spring assembly. This proposed AD would also prohibit installing forward rod end P/N 427-010-210-105 and aft rod end P/N 427-010-210-109 on any helicopter unless it has been marked in accordance with this proposed AD.

Costs of Compliance

We estimate that this proposed AD would affect 75 helicopters of U.S. Registry. We estimate that operators may incur the following costs in order to comply with this AD. Labor costs are estimated at \$85 per work-hour.

Marking the rod ends would take about 0.5 work-hour for an estimated cost of \$43 per helicopter and \$3,225 for the U.S. fleet. Replacing a rod end that has exceeded its life limit would take about 3 work-hours and required parts will cost about \$4,100 for an estimated cost of \$4,355 per rod end.

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, 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.

We prepared an economic evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

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 removing Airworthiness Directive (AD) 2017–13–03, Amendment 39–18933 (82 FR 28397, June 22, 2017), and adding the following new AD:

Bell Helicopter Textron Canada Limited:
Docket No. FAA–2018–0254; Product Identifier 2017–SW–116–AD.

(a) Applicability

This AD applies to Model 429 helicopters, serial number 57001 through 57260, with a pylon restraint spring assembly (spring assembly) forward rod end assembly (rod end) part number (P/N) 427–010–210–105 or

aft rod end P/N 427–010–210–109 installed, certificated in any category.

(b) Unsafe Condition

This AD defines the unsafe condition as a rod end remaining in service after reaching its life limit. This condition could result in failure of a rod end and subsequent loss of control of a helicopter.

(c) Affected ADs

This AD replaces AD 2017–13–03, Amendment 39–18933 (82 FR 28397, June 22, 2017).

(d) Comments Due Date

We must receive comments by June 4, 2018.

(e) Compliance

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

(f) Required Actions

(1) Within 140 hours time-in-service, clean and identify each rod end with the spring assembly serial number in accordance with the Accomplishment Instructions, paragraphs 3. through 8., of Bell Helicopter Alert Service Bulletin 429–15–19, dated February 26, 2015.

(2) Do not install a forward rod end P/N 427–010–210–105 or an aft rod end P/N 427–010–210–109 on any helicopter unless it has been marked with a serial number in accordance with paragraph (f)(1) of this AD.

(g) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Section, Rotorcraft Standards Branch, FAA, may approve AMOCs for this AD. Send your proposal to: Matt Fuller, Senior Aviation Safety Engineer, Safety Management Section, Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222–5110; email 9-ASW-FTW-AMOC-Requests@faa.gov.

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or lacking a principal inspector, the manager of the local flight standards district office or certificate holding district office before operating any aircraft complying with this AD through an AMOC.

(h) Additional Information

(1) Bell Helicopter Maintenance Manual BHT–429–MM–1, Chapter 4, Airworthiness Limitations Schedule, Revision 26, approved September 9, 2016, which is not incorporated by reference, contains additional information about the subject of this AD. For service information identified in this AD, contact Bell Helicopter Textron Canada Limited, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4; telephone (450) 437–2862 or (800) 363–8023; fax (450) 433–0272; or at <http://www.bellcustomer.com/files/>. You may review a copy of the service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177.

(2) The subject of this AD is addressed in Transport Canada AD No. CF–2015–15R1,

Revision 1, dated July 28, 2017. You may view the Transport Canada AD on the internet at <http://www.regulations.gov> in the AD Docket.

(i) Subject

Joint Aircraft Service Component (JASC)
Code: 5101, Standard Practices/Structures.

Issued in Fort Worth, Texas, on March 26, 2018.

Lance T. Gant,

*Director, Compliance & Airworthiness
Division, Aircraft Certification Service.*

[FR Doc. 2018–06640 Filed 4–4–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2018–0217; Airspace
Docket No. 17–ASO–4]

Proposed Establishment of Class E Airspace; Ellijay, GA

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking
(NPRM).

SUMMARY: This action proposes to establish Class E airspace extending upward from 700 feet above the surface at Ellijay, GA, to accommodate new area navigation (RNAV) global positioning system (GPS) standard instrument approach procedures (SIAPs) serving Gilmer County Airport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations at this airport.

DATES: Comments must be received on or before May 21, 2018.

ADDRESSES: Send comments on this rule to: U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Bldg. Ground Floor, Rm. W12–140, Washington, DC 20590; telephone: 1–800–647–5527, or (202) 366–9826. You must identify the Docket No. FAA–2017–0217; Airspace Docket No. 17–ASO–4, at the beginning of your comments. You may also submit and review received comments through the internet at <http://www.regulations.gov>.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays.

FAA Order 7400.11B, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at http://www.faa.gov/air_traffic/publications/. For further information,

you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11B at NARA, call (202) 741-6030, or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Av., College Park, GA 30337; telephone (404) 305-6364.

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 proposed rulemaking is promulgated under the authority described in Subtitle VII, Part, A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority, as it would establish Class E airspace at Gilmer County Airport, Ellijay, GA, to support IFR operations in standard instrument approach procedures at this airport.

Comments Invited

Interested persons are invited to comment on this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA-2017-0217 and Airspace Docket No. 17-ASO-4) and be submitted in triplicate to the address listed above. You may also submit comments through the internet at <http://www.regulations.gov>.

Persons wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2017-0217; Airspace Docket No. 17-ASO-4." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded from and comments submitted through <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at http://www.faa.gov/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined between 8:00 a.m. and 4:30 p.m., Monday through Friday, except federal holidays at the office of the Eastern Service Center, Federal Aviation Administration, Room 350, 1701 Columbia Avenue, College Park, Georgia 30337.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA Order 7400.11B is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11B lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to establish Class E airspace at Ellijay, GA providing the controlled airspace required to support the new RNAV (GPS) standard

instrument approach procedures for Gilmer County Airport. Controlled airspace extending upward from 700 feet above the surface within a 7.3-mile radius of the airport would be established for IFR operations.

Class E airspace designations are published in Paragraph 6005 of FAA Order 7400.11B, dated August 3, 2017, and effective September 15, 2017, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979) and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal would be subject to an environmental analysis in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 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 7400.11B, *Airspace Designations and Reporting Points*, dated August 3, 2017, effective September 15, 2017, is amended as follows:

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

* * * * *

ASO GA E5 Ellijay, GA [New]

Gilmer County Airport, GA
(Lat. 34°37'42" N, long. 84°31'36" W)

That airspace extending upward from 700 feet above the surface within a 7.3-mile radius of Gilmer County Airport.

Issued in College Park, Georgia, on March 27, 2018.

Ryan W. Almasy,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2018-06753 Filed 4-4-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2018-0131; Airspace Docket No. 18-ASO-4]

Proposed Amendment of Class D and Class E Airspace; Eastover, SC and Sumter, SC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Class D airspace and Class E airspace extending upward from 700 feet above the surface at McEntire Joint National Guard Base (JNGB), Eastover, SC, to accommodate airspace reconfiguration due to the decommissioning of the McEntire non-directional radio beacon (NDB) and cancellation of the NDB approach. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations at the airport. This action also would update the geographic coordinates of the McEntire JNGB, Shaw AFB, and Sumter Airport, Sumter, SC, and update the names of McEntire JNGB and Sumter Airport. Also, an editorial change would be made to the airspace designation in both Class D and E airspace.

DATES: Comments must be received on or before May 21, 2018.

ADDRESSES: Send comments on this proposal to: The U.S. Department of

Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590-0001; telephone: (800) 647-5527, or (202) 366-9826. You must identify the Docket No. FAA-2018-0131; Airspace Docket No. 18-ASO-4, at the beginning of your comments. You may also submit comments through the internet at <http://www.regulations.gov>.

FAA Order 7400.11B, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at http://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC, 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11B at NARA, call (202) 741-6030, or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; telephone (404) 305-6364.

SUPPLEMENTARY INFORMATION:**Authority for This Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend Class D and Class E airspace at McEntire JNGB, Shaw AFB, and Sumter Airport, Eastover and Sumter, SC, to support IFR operations at these airports.

Comments Invited

Interested persons are invited to comment on this proposed rulemaking by submitting such written data, views,

or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (Docket No. FAA-2018-0131 and Airspace Docket No. 18-ASO-4) and be submitted in triplicate to DOT Docket Operations (see **ADDRESSES** section for the address and phone number). You may also submit comments through the internet at <http://www.regulations.gov>.

Persons wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2018-0131; Airspace Docket No. 18-ASO-4." The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this document may be changed in light of the comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at http://www.faa.gov/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined between 8:00 a.m. and 4:30 p.m., Monday through Friday, except federal holidays at the office of the Eastern Service Center, Federal Aviation Administration, room 350, 1701 Columbia Avenue, College Park, GA 30337.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA Order 7400.11B is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11B lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA proposes an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to amend Class D airspace and Class E airspace extending upward from 700 feet or more above the surface of McEntire JNGB, due to the decommissioning of the McEntire NDB, and cancellation of the NDB approach. The changes would enhance the safety and management of IFR operations at the airport.

The geographic coordinates of the McEntire JNGB, Shaw AFB, Sumter Airport, Sumter, SC, and the McEntire JNGB TACAN also would be adjusted to coincide with the FAA's aeronautical database, and the airport names would be updated to McEntire JNGB (formerly McEntire ANGB), and Sumter Airport (formerly Sumter Municipal Airport). Also, this action would update the name of the McEntire ANGB TACAN navigation aid to the McEntire JNGB TACAN.

Finally, an editorial change would be made to the airspace designation removing the city from the airport name associated with McEntire JNGB and Shaw AFB to comply with a recent change to FAA Order 7400.2L, Procedures for Handling Airspace Matters.

Class D and E airspace designations are published in Paragraphs 5000 and 6005, respectively of FAA Order 7400.11B, dated August 3, 2017, and effective September 15, 2017, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant

rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

- 1. The authority citation for 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 Federal Aviation Administration Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

ASO SC D Eastover, SC [Amended]

McEntire JNGB, SC

(Lat. 33°55'15" N, long. 80°48'04" W)

That airspace extending upward from the surface to and including 2,800 feet MSL within a 4.5-mile radius of McEntire JNGB. 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.

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

* * * * *

ASO SC E5 Sumter, SC [Amended]

Shaw AFB, SC

(Lat. 33°58'22" N, long. 80°28'14" W)

McEntire JNGB

(Lat. 33°55'15" N, long. 80°48'04" W)

McEntire JNGB TACAN

(Lat. 33°55'45" N, long. 80°48'31" W)

Sumter Airport, SC

(Lat. 33°59'42" N, long. 80°21'41" W)

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Shaw AFB and within a 6.8-mile radius of McEntire JNGB and within 3 miles each side of McEntire JNGB TACAN 138° radial, extending from the 6.8-mile radius to 12 miles southeast of the TACAN and within a 7-mile radius of Sumter Airport; excluding that airspace contained within Restricted Area R-6002 when it is in use.

Issued in College Park, Georgia, on March 27, 2018.

Ryan W. Almasy,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2018–06752 Filed 4–4–18; 8:45 am]

BILLING CODE 4910–13–P

FEDERAL TRADE COMMISSION

16 CFR Part 312

RIN 3084–AB20

Children's Online Privacy Protection Rule Safe Harbor Proposed Self-Regulatory Guidelines; the Entertainment Software Rating Board's COPPA Safe Harbor Program Application To Modify Program Requirements

AGENCY: Federal Trade Commission (FTC or Commission).

ACTION: Notification of modifications to guidelines, requesting public comment.

SUMMARY: The Federal Trade Commission publishes this notification and request for public comment concerning proposed modifications to Entertainment Software Rating Board's ("ESRB") Commission-approved self-regulatory guidelines, under the "safe harbor" provision of the Children's Online Privacy Protection Rule.

DATES: Written comments must be received by May 9, 2018.

ADDRESSES: Interested parties may file a comment online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write "ESRB Application for Modifications to Safe Harbor Program Requirements, Project No. P024526" on your comment, and file your comment online at <https://ftcpbcommentworks.com/ftc/esrbcoppaapp>, by following the instructions on the web-

based form. If you prefer to file your comment on paper, write “ESRB Application for Modifications to Safe Harbor Program Requirements, Project No. P024526” 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 E), 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 E), Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Shameka L. Walker, Attorney, (202) 326–2570, Division of Privacy and Identity Protection, Federal Trade Commission, Washington, DC 20580.

SUPPLEMENTARY INFORMATION:

Section A. Background

On October 20, 1999, the Commission issued its final Rule pursuant to the Children’s Online Privacy Protection Act, 15 U.S.C. 6501 *et seq.*, which became effective on April 21, 2000.¹ On December 19, 2012, the Commission amended the Rule, and these amendments became effective on July 1, 2013.² The Rule requires certain website and online service operators to post privacy policies and provide notice, and obtain verifiable parental consent, prior to collecting, using, or disclosing personal information from children under the age of 13.³ The Rule contains a “safe harbor” provision enabling industry groups or others to submit to the Commission for approval self-regulatory guidelines that would implement the Rule’s protections.⁴

Pursuant to Section 312.11 of the Rule, ESRB submitted proposed self-regulatory guidelines to the Commission that the FTC approved in 2001. ESRB subsequently updated its guidelines to comply with the revised Rule, which became effective on July 1, 2013. ESRB is now seeking to modify its Commission-approved Safe Harbor program requirements. The text of the proposed modified program requirements is available on the Commission’s website, at www.ftc.gov.

Section B. Questions on the Proposed Modified Program Requirements

The Commission is seeking comment on various aspects of ESRB’s proposed modified program requirements, and is particularly interested in receiving

comment on the questions that follow. These questions are designed to assist the public and should not be construed as a limitation on the issues on which public comment may be submitted. Each response should cite the number and subsection of the question being answered. For all comments submitted, please provide any relevant data, statistics, or any other evidence, upon which those comments are based.

1. Please provide comments on any or all of the proposed modifications to ESRB’s program requirements. For each provision commented on please describe (a) the impact of the provision(s), including benefits and costs, if any, and (b) what alternatives, if any, should be considered, as well as the costs and benefits of those alternatives.

2. Are the mechanisms used to assess operators’ compliance with the proposed modified program requirements effective?⁵ If not, please describe (a) whether and how ESRB could modify the assessment mechanisms to satisfy the Rule’s requirements, and (b) the costs and benefits of those modifications.

3. Are the incentives for operators’ compliance with the proposed modified program requirements effective?⁶ If not, please describe (a) whether and how the incentives could be modified to satisfy the Rule’s requirements, and (b) the costs and benefits of those modifications.

4. Please provide comments on any other issue deemed relevant to this matter.

Section C. Invitation to Comment

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before May 9, 2018. Write “ESRB Application for Modifications to Safe Harbor Program Requirements, Project No. P024526” 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 website, at <http://www.ftc.gov/os/publiccomments>. As a matter of discretion, the Commission tries to remove individuals’ home contact information from comments before placing them on the Commission website.

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/esrboppaapp>, by following the instructions on the web-based form. If this document appears at <http://www.regulations.gov/#/home>, you also may file a comment through that website.

If you file your comment on paper, write “ESRB Application for Modifications to Safe Harbor Program Requirements, Project No. P024526” on your comment and on the envelope, and mail it to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex E), 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 E), Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

Because your comment will be placed on the publicly accessible FTC website at www.ftc.gov, you are solely responsible for making sure that your comment does not include any sensitive personal information. In particular, your comment should not include any sensitive personal information, such as your or anyone else’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, such as medical records or other individually identifiable health information. In addition, your comment should not include any “[t]rade secret or any commercial or financial information which . . . is privileged or confidential”—as provided 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)—including in particular competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Once your comment has been posted on the public FTC website—as legally required by FTC Rule 4.9(b)—we cannot redact or remove your comment from the FTC website, unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request in accordance with the law and the public interest. Comments containing material for which confidential treatment is

¹ 64 FR 59888 (1999).

² 78 FR 3972 (2013).

³ 16 CFR part 312.

⁴ See 16 CFR 312.11; 78 FR at 3995–96, 4012–13.

⁵ See 16 CFR 312.11(b)(2); 78 FR at 4013.

⁶ See 16 CFR 312.11(b)(3); 78 FR at 4013.

requested must be filed in paper form, must be clearly labeled "Confidential," and must comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment must include the factual and legal basis for the request, and must identify the specific portion of the comment to be withheld from the public record. See FTC Rule 4.9(c).

Visit the Commission website at <http://www.ftc.gov> to read this document 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 May 9, 2018. 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>.

By direction of the Commission.

Donald S. Clark,
Secretary.

[FR Doc. 2018-06976 Filed 4-4-18; 8:45 am]

BILLING CODE 6750-01-P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 1

RIN 2900-AQ27

Release of Information From Department of Veterans Affairs' Records

AGENCY: Department of Veterans Affairs.
ACTION: Proposed rule.

SUMMARY: This document amends the Department of Veterans Affairs' (VA) regulations governing the submission and processing of requests for information under the Freedom of Information Act (FOIA) and the Privacy Act in order to reorganize, streamline, and clarify existing regulations.

DATES: Comments must be received on or before June 4, 2018.

ADDRESSES: Written comments may be submitted through <http://www.Regulations.gov/>; by mail or hand-delivery to the Director, Regulations Management (00REG), Department of Veterans Affairs, 810 Vermont Avenue NW, Room 1063B, Washington, DC 20420; or by fax to (202) 273-9026. Comments should indicate that they are submitted in response to "RIN 2900-AQ27, Release of Information from Department of Veterans Affairs Records." Copies of comments received

will be available for public inspection in the Office of Regulation Policy and Management, Room 1063B, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays). Please call (202) 461-4902 for an appointment. In addition, during the comment period, comments may be viewed online through the Federal Docket Management System at <http://www.Regulations.gov/>.

FOR FURTHER INFORMATION CONTACT: Catherine Nachmann, Attorney, Office of General Counsel (024), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, (202) 461-7742 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: VA's authority for publishing this proposed rule reads as follows: 5 U.S.C. 552, 552a, 38 U.S.C. 501(a), unless otherwise noted. The FOIA, codified at 5 U.S.C. 552, requires an agency to publish public guidance regarding its implementation of the statute, such as rules of procedure and substantive rules of general applicability. The Privacy Act of 1974, as amended, codified at 5 U.S.C. 552a, requires an agency to publish its rules and procedures implementing that statute. Section 501(a) of title 38, U.S.C., authorizes the Secretary of Veterans Affairs to prescribe rules and regulations to carry out the laws administered by VA.

We propose to update VA's regulations pertaining to the release of information from VA claimant records; the regulations are codified at 38 CFR 1.500 through 1.527. Specifically, VA proposes to amend 38 CFR 1.519 regarding the release of lists of names and addresses.

In addition, we propose to amend VA's regulations pertaining to release of information under the FOIA. VA's current FOIA regulations are codified at 38 CFR 1.550 through 1.562. We propose to update these regulations to ensure compliance with the FOIA Improvement Act of 2016, Public Law 114-185, streamline existing procedures based on our experience administering the FOIA, clarify portions of the regulations to make the regulations and VA's implementing procedures consistent with applicable law and easier for the public to understand, eliminate inherent conflict, ensure that the Department's intent is clear with regard to the agency's processing of requests for records and information under these statutes, and generally reorganize provisions as necessary.

We have also made minor, non-substantive changes to the regulations to correct typographical or grammatical

errors and make the language of the text generally more consistent.

Finally, we propose to amend VA's regulations pertaining to the release of information from claimant records protected under the Privacy Act of 1974; the regulations are codified at 38 CFR 1.575 through 1.584. Specifically, we propose to amend 38 CFR 1.577(c) and 1.577(e) pertaining to VA's procedures regarding requests for access to records and fees, respectively, and 38 CFR 1.580 pertaining to administrative review of denials of requests for amendment of records.

Changes to 38 CFR Part 1

Release of Information From Department of Veterans Affairs Claimant Records, 1.500-1.527

1.519 Lists of Names and Addresses

Current § 1.519(c) provides, in part, that the Associate Deputy Assistant Secretary for Information Resources Management, with the concurrence of the General Counsel (emphasis added), is authorized to release names and addresses of present or former personnel of the armed services and their dependents from VA records to organizations under specific circumstances outlined in that section. Current § 1.519(e) provides that a denial of a request for the release of names and addresses of present or former personnel of the armed services and their dependents from VA records may be appealed to the General Counsel.

We propose to amend § 1.519(c) to delete the requirement that the General Counsel concur in a release of names and addresses; this requirement inherently conflicts with the General Counsel's authority to address appeals in these cases. As it stands, the regulation requires the General Counsel to be involved in the initial determination and address the appeal regarding the release of information. In order to preserve the integrity of the appeals process, however, the General Counsel should review the request for the first time on appeal. Removing the requirement that the General Counsel concur in the determination of Information Resources Management in these cases would resolve this conflict.

Procedures for Disclosure of Records Under the Freedom of Information Act, 1.550-1.562

We propose to make minor stylistic changes throughout the regulations as necessary that have no substantive effect. We also propose more specific and substantive revisions as outlined below.

1.552 General Provisions

Current § 1.552(a) contains the internet address established by VA to obtain information regarding VA's FOIA processing and information that VA makes electronically available under the FOIA. The internet address has changed since the last publication of VA's FOIA regulations. Proposed § 1.552(a), therefore, would replace the existing internet address with the new, current internet address.

1.554 Requirements for Making Requests

Current § 1.554(a) covers FOIA requests submitted by letter or fax and contains general information regarding the submission of requests; the provision advises, *e.g.*, that the requester send the request to the FOIA Officer for the component that he or she believes maintains the records requested. The section also contains signature requirements when requesting records about which the requester believes he or she has a privacy interest or to which a confidentiality statute applies. Current § 1.554(a) also contains two references to the availability of a list of FOIA contacts available on the internet.

Current § 1.554(b) covers FOIA requests submitted by email, including circumstances under which signature requirements are triggered. Current § 1.554(c) addresses requirements when requesting records pertaining to another individual.

Proposed § 1.554(a) would address requests by letter and fax and would delete the redundant reference to internet information regarding the availability of VA FOIA contacts. Proposed § 1.554(b) would address requests by email. Proposed § 1.554(a) and § 1.554(b) would contain administrative details such as where to send FOIA requests and would remove signature requirements. Proposed § 1.554(c) would address the content of requests by letter, fax and email and would address the circumstances under which a signature requirement is triggered and options for providing a signature; specifically, proposed § 1.554(c) would require the requester to comply with the verification of identity requirements set forth in § 1.577 of 38 CFR part 1 when seeking records about himself or herself. Proposed § 1.554(c) also would provide that if the requester is seeking records not covered by the Privacy Act, but which the requester believes may pertain to him or her, the requester may provide proof of identity, such as by a notarized, signed statement affirming his or her identity or a

declaration made in compliance with 28 U.S.C. 1746. Further, proposed § 1.554(c) would require that if the requester is seeking records pertaining to another individual who is the record subject, whether by letter, fax, or email, the requester may obtain greater access to the records, if he or she provides satisfactory authorization to act on behalf of the record subject. Proposed §§ 1.554(a) through (c), would be synthesized and reorganized to make it easier for the public to understand and to clarify this portion of the regulations.

In proposed §§ 1.554(d)(2) and (d)(4), we would make a minor stylistic revision to use numerals only rather than both numerals and words.

Current § 1.554(e) addresses circumstances in which a FOIA fee issue is unresolved. Proposed § 1.554(e) streamlines and organizes the language to make it easier for the public to understand.

1.556 Timing of Responses to Requests

Current § 1.556(c)(1) contains VA procedures with regard to FOIA requests that involve "unusual circumstances," including notification when the agency is extending the 20-day response time limit by 10 or more days. Proposed § 1.556(c)(1) would provide that in cases where an extension of more than 10 days is needed, the FOIA Officer also must advise the requester that the VA FOIA Liaison is available to assist in any disputes between the requester and VA (as required by the FOIA) and that the requester has the right to seek dispute resolution from the Office of Government Information Services (as required by the FOIA Improvement Act of 2016). In proposed § 1.556(c)(1) and § 1.556(d)(3), we would also make a minor stylistic revision to eliminate use of numerals and written words in favor of using only numerals.

1.557 Responses to Requests

Current § 1.557 addresses the agency's procedures regarding responses to requests, including the agency's acknowledgment and timing of responses and adverse determinations. Current § 1.557(a) addresses the FOIA Officer's responsibility to assign a number to the request and acknowledge the FOIA request. Proposed § 1.557(a) adds specific provisions that the FOIA Officer will advise the requester of the assigned FOIA request number and how the requester may obtain the status of his or her request.

Current § 1.557(c) addresses time limits for processing requests. Proposed § 1.557(c) would streamline and clarify this provision. Current § 1.557(d) addresses adverse determinations of

requests. We propose to add a new provision at § 1.557(d) to address grants of requests in full and to redesignate current § 1.557(d) as § 1.557(e) and revise § 1.557(e). In addition to complying with the FOIA Improvement Act of 2016, these amendments would provide clarification and make the section easier to understand.

1.558 Business Information

Current § 1.558(c)(3) provides for notification to both the submitter of information and the requester when a final decision is made regarding release of business information. We propose to clarify § 1.558(c)(3) to ensure that the requirements of the submitter notification process are met and to make it easier for the public to understand. We also propose to delete the last sentence of current § 1.558(c)(3), which would become unnecessary based on the clarifications made in the proposed revision.

We propose to make a minor stylistic revision to § 1.558(e)(3) to use only the numeral 10 rather than using the written form of the numeral and the numeral as in current § 1.558(e)(3).

1.559 Appeals

Current § 1.559 addresses the agency's procedures for filing administrative appeals of adverse determinations under the FOIA. Current § 1.559(b) through § 1.559(d) include the requirements for an appeal by letter and email and the time limit and content of the appeal, including the requirement for identity verification when the appeal involves records protected by a confidentiality statute; the latter requirement is contained in both paragraphs (b) and (c). We propose to streamline § 1.559(b) through § 1.559(d) by deleting redundancy in paragraphs (b) and (c) and by including requirements applicable to all appeals in paragraph (d); the proposed revisions would make the section more organized and easier for the public to understand. The proposed revision would also provide other means by which an individual could provide verification of his or her identity; the proposed revision in this regard would make it more efficient and easier for requesters to provide identity verification.

Current § 1.559(d) establishes a 60-day period within which to file an appeal and describes the information that should be included in an appeal. Proposed § 1.559(d) would extend the appeal period to 90 days in accordance with the FOIA Improvement Act. In addition, current § 1.559(d) describes the titles of individuals within the VA Office of General Counsel responsible

for addressing FOIA appeals. We propose to revise § 1.559(d) to instead provide a more general description of the responsible office in order to account for past and future changes in nomenclature within the Office of General Counsel. Lastly, the language of § 1.559(d) is disorganized with regard to the information that must be included with an appeal and that which may be included. Proposed § 1.559(d) would reorganize the language to clarify the provision and make it easier for the public to understand.

1.561 Fees

Current § 1.561(a) provides the general requirements for charging fees under the FOIA. We propose to amend § 1.561(a) to eliminate unnecessary references to other paragraphs of the section and streamline the regulation.

Current § 1.561(b)(3) uses the term “salary” when referring to the employee performing the work. We propose to revise § 1.561(b)(3) to replace the term “salary” with “hourly wage” to clarify the meaning and to provide consistency in the regulations. In addition, we propose to revise the description of direct costs so as to eliminate redundancy in the paragraph.

Current § 1.561(d)(2) provides information on the cost of duplication by paper copy and provides that for other types of duplication, VA will charge for the direct costs of the duplication. Proposed § 1.561(d)(2) would delete the references to the specific cost of duplication or other services in § 1.561(d)(2) and instead, would include those costs in the schedule of fees set forth in proposed § 1.561(g)(1); the proposed revision would eliminate redundancy and confusion. Proposed § 1.561(d)(2) would include language advising requesters that only one copy of duplicated records will be provided.

Current § 1.561(e) provides for limitations on charging fees; parts of the section contain information that is redundant of other sections. Proposed § 1.561(e) would streamline the regulation in order to eliminate repetitive portions (e.g., paragraphs (e)(4) and (e)(5)) and make the section easier to understand. Proposed § 1.561(e) also would add language to address requirements imposed by the FOIA Improvement Act of 2016.

Current § 1.561(f) contains a table describing fees that each category of requester may be charged. The table does not include duplication fee information as it pertains to electronic media; we propose to add this information to § 1.561(f).

Current § 1.561(g) contains information regarding fee assessments that is redundant of other sections of the FOIA regulations. In addition, current § 1.561(g)(1) provides a fee schedule that includes reference to “DC locality payment” and specific grades of Federal employees. In proposed § 1.561(g), we would eliminate references to specific forms of potential costs and would instead refer to direct costs and the requester’s fee category; the revision would eliminate redundancy and add consistency to the provision. In proposed § 1.561(g)(1), we would add specific-cost information in order to synthesize fee elements as much as possible into one provision. We would also eliminate the reference to DC locality pay in § 1.561(g)(1); locality pay is based on where the employee performing the work is located and would not be tied to one particular locality. In addition, the proposed change would clarify the section generally and make it consistent with other parts of the regulation by providing that the assessment of a fee is based on the hourly salary of the employee performing the work, which would include the particular locality pay of that employee. The references to the specific job type of the employee involved would be eliminated as unnecessary and confusing. Overall, the proposed revisions would make the section easier to understand and more consistent with the remainder of this section.

Current § 561(g)(1) includes a provision that fees are charged in quarter hour increments. The proposed revision would eliminate the text of current § 561(g)(1). Current § 561(g)(2) contains the schedule of fees. In view of the elimination of the text of current § 561(g)(1), current § 561(g)(2) would become § 561(g)(1). Section 561(g)(2) would be reserved.

Current § 1.561(h) addresses notification to the requester of a fee estimate. We propose to streamline and clarify this section.

Current §§ 1.561(i) and (l)(3),(5) address charges for other services and advance payments, respectively. We propose to make minor stylistic revisions to §§ 1.561(i) and (l)(3),(5) in order to clarify the meaning of the sections and make the sections consistent with the other sections.

Current § 1.561(n) sets forth the requirements for a fee waiver or reduction; proposed § 1.561(n) would clarify that if a FOIA Officer communicates with a requester to seek necessary additional information, the fee-waiver request will be closed if the information is not received within 10

days of the request for additional information. Proposed § 1.561(n) also would provide that if the fee waiver is denied or closed, the underlying FOIA request will be processed in accordance with applicable provisions.

Safeguarding Personal Information in Department of Veterans Affairs Records, 1.575–1.584

1.577 Access to Records

Current § 1.577(c) provides that the VA staff office having jurisdiction over the records involved in a request will establish appropriate disclosure procedures. Proposed § 1.577(c) would specify that access requests for Privacy Act records or information must be sent to the staff office that maintains the records and refer the individual to the system of record notice in order to identify the office to which the request should be sent.

Current § 1.577(e) describes the fees to be charged for providing an individual a copy of his or her records and contains a fee table that includes an outdated reference to “direct cost.” Proposed § 1.577(e) would provide the correct reference to direct cost. Current § 1.577(e) includes no provision for the waiver of fees totaling less than \$25.00. Currently, § 1.561(g) provides for the waiver of fees totaling under \$25.00 under the Privacy Act; § 1.561(g), however, is in the FOIA section of VA regulations. Proposed § 1.577(e) would include the waiver language of fees of \$25.00 or less in the Privacy Act regulations. The revision would make it easier for record subjects to find relevant information when making a Privacy Act request. Finally, proposed § 1.577(e) would include a clarification that the first 100 pages are provided free of charge whether provided in paper or an electronic medium.

1.580 Administrative Review

Current § 1.580 provides that upon denial of a request for access or amendment to VA records, the requester will be advised of the decision in writing and will be provided appeal rights to OGC; the regulation does not distinguish between a written response and the lack of a response. As a result, OGC receives appeals from individuals who have received no response from the component or staff office; OGC directs these communications back to the originating office to respond. The proposed amendment clarifies that § 1.580 applies to a written denial of the request and not to the absence of a response to the request. The proposed revision represents an effort to effectuate an expeditious review of the

record request, *i.e.*, eliminate OGC involvement in order to streamline review procedures when circumstances involve the absence of a response, ensure that access requests are done by the correct component or staff office at the outset, and provide a quicker response to the requester. The proposed revisions result in the addition of section 38 CFR 1.580(c).

We also propose to correct a typographical error in the first sentence of § 1.580, *i.e.*, “denial or” to “denial of” a request.

Paperwork Reduction Act

This document contains no provisions constituting a collection of information under the Paperwork Reduction Act (44 U.S.C. 3501–3521).

Regulatory Flexibility Act

The Secretary of Veterans Affairs hereby certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. This proposed rule concerns the procedures for requesting information from VA and the payment of certain fees for processing such requests. The fees prescribed by this proposed rule will generally comprise only an insignificant portion of a small entity’s expenditures. Therefore, this proposed rule is exempt, pursuant to 5 U.S.C. 605(b), from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

Executive Orders 12866, 13563 and 13771

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits of reducing costs, of harmonizing rules, and of promoting flexibility. E.O. 12866, Regulatory Planning and Review, defines “significant regulatory action” to mean any regulatory action that is likely to result in a rule that may: “(1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) Create a serious inconsistency or otherwise

interfere with an action taken or planned by another agency; (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in this Executive order.”

VA has examined the economic, interagency, budgetary, legal, and policy implications of this regulatory action, and it has been determined not to be a significant regulatory action under E.O. 12866. This proposed rule is not expected to be an E.O. 13771 regulatory action because this proposed rule is not significant under E.O. 12866.

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before issuing any rule that may result in an expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more (adjusted annually for inflation) in any year. This proposed rule would have no such effect on state, local, and tribal governments, or on the private sector.

Catalog of Federal Domestic Assistance

There is no Catalog of Federal Domestic Assistance number for the program affected by this proposed rule.

List of Subjects in 38 CFR Part 1

Administrative practice and procedure, Archives and records, Cemeteries, Claims, Courts, Crime, Flags, Freedom of information, Government contracts, Government employees, Government property, infants and children, Inventions and patents, Parking, Penalties, Privacy, Reporting and Recordkeeping requirements, Seals and insignia, Security measures, and Wages.

Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Jacquelyn Hayes-Byrd, Deputy Chief of Staff, Department of Veterans Affairs, approved this document on March 19, 2018, for publication.

Dated: March 20, 2018.

Consuela Benjamin,

Regulation Development Coordinator, Office of Regulation Policy & Management, Office of the Secretary, Department of Veterans Affairs.

For the reasons stated in the preamble, VA proposes to amend 38 CFR part 1 as follows:

PART 1—GENERAL PROVISIONS

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

Authority: 38 U.S.C. 501(a), and as noted in specific sections.

■ 2. Revise § 1.519 paragraph (c) to read as follows.

§ 1.519 Lists of names and addresses.

* * * * *

(c) The Associate Deputy Assistant Secretary for Information Resources Management is authorized to release lists of names and addresses to organizations which have applied for such lists in accordance with paragraph (a) of this section, if he or she finds that the purpose for which the organization desires the names and addresses is directly connected with conduct of programs and the utilization of benefits under title 38 U.S.C. Lists of names and addresses authorized to be released pursuant to this paragraph shall not duplicate lists released to other elements, segments, or chapters of the same organization.

* * * * *

■ 3. Revise § 1.552 paragraph (a) to read as follows:

§ 1.552 General provisions.

(a) Additional information. Information regarding VA’s FOIA and Privacy Act process generally, including how to file FOIA requests, and information made available by VA under the FOIA, is available at the following internet address: <http://www.oprm.va.gov/foia/>.

* * * * *

■ 4. Revise § 1.554 paragraphs (a) through (c), (d)(2),(d)(4), and (e) to read as follows:

§ 1.554 Requirements for making requests.

(a) *Requests by letter and facsimile (fax).* The FOIA request must be in writing and may be by letter or fax. To assist in processing, the request letter, envelope, or fax cover sheet of any FOIA request should be marked “Freedom of Information Act Request.” Information helpful for filing a request, such as a list of VA FOIA contacts, VA’s FOIA Reference Guide, and the text of the FOIA, are available on VA’s FOIA

homepage on the internet. See § 1.552(a) for the pertinent internet address. VA has a decentralized FOIA system, meaning that each VA component, *i.e.*, administrations and staff offices, the Veterans Health Administration (VHA) medical centers, Veterans Benefits Administration (VBA) regional offices, or offices located within the VA Central Office in Washington, DC (*e.g.*, the Office of the Secretary), maintain their own FOIA processes and respond to FOIA requests directly. Accordingly, requesters must write directly to the FOIA Officer for the VA component that maintains the records. If requesting records from a particular medical facility, regional office, or Central Office component, the request should be sent to the FOIA Office at the address listed for that component. A legible return address must be included with the FOIA request; the requester may wish to include other contact information as well, such as a telephone number and email address. If the requester is not sure where to send the request, he or she should seek assistance from the FOIA Contact for the office believed to manage the programs whose records are being requested or, if these efforts fail, he or she should send the request to the Director, FOIA Service (005R1C), 810 Vermont Avenue NW, Washington, DC 20420, who will refer it for action to the FOIA contact at the appropriate component.

(b) *Requests by email.* VA accepts email FOIA requests. To assure prompt processing, email FOIA requests must be sent to official VA FOIA mailboxes established for the purpose of receiving FOIA requests. An email FOIA request that is sent to an individual VA employee's mailbox, or to any other entity, will not be considered a perfected FOIA request. Mailbox addresses designated to receive email FOIA requests are available on VA's FOIA homepage. See § 1.552(a) for the pertinent internet address.

(c) *The content of a request.* Whether submitting the request by letter, fax, or email, the following applies: If the requester is seeking records about himself or herself or to which a confidentiality statute applies (38 U.S.C. 5701, *e.g.*), the requester must comply with the verification of identity requirements set forth in 1.577 of this Part, which applies to requests for records maintained under the Privacy Act. If the requester is seeking records not covered by the Privacy Act, but which the requester believes may pertain to him or her, the requester may obtain greater access to the records by complying with the verification of identity requirements set forth in 1.577

of this Part, by providing the image of the requester's signature (such as an attachment that shows the requester's handwritten signature), or by submitting a notarized, signed statement affirming his or her identity or a declaration made in compliance with 28 U.S.C. 1746. The suggested language for a statement under 28 U.S.C. 1746 is included on VA's FOIA homepage; see § 1.552(a) for the pertinent internet address. If the requester is seeking records pertaining to another individual under the FOIA, whether by letter, fax, or email, the requester may obtain greater access to the records if he or she provides satisfactory authorization to act on behalf of the record subject to receive the records or by submitting proof that the record subject is deceased (*e.g.*, a copy of a death certificate or an obituary). Each component has discretion to require that a requester supply additional information to verify that a record subject has consented to disclosure.

(d) * * *

(2) Requests for voluminous amounts of records may be placed in a complex track of a multitrack processing system pursuant to § 1.556(b); such requests also may meet the criteria for "unusual circumstances," which are processed in accordance with § 1.556(c) and may require more than 20 business days to process despite the agency's exercise of due diligence.

* * * * *

(4) The time limit for VA to process the FOIA request will not start until the FOIA Officer determines that the requester has reasonably described the records sought in the FOIA request. If the FOIA Officer seeks additional clarification regarding the request and does not receive the requester's written response within 30 calendar days of the date of its communication with the requester, he or she will conclude that the requester is no longer interested in pursuing the request and will close VA's files on the request.

(e) *Agreement to pay fees.* The time limit for processing a FOIA request will be tolled while any fee issue is unresolved. Depending on the circumstances, the FOIA Officer will notify the requester: That the FOIA Officer anticipates that the fees for processing the request will exceed the amount that the requester has stated a willingness to pay or will amount to more than \$25.00 or the amount set by Office of Management and Budget fee guidelines, whichever is higher; whether the FOIA Officer is requiring the requester to agree in writing to pay the estimated fee; or whether advance

payment of the fee is required prior to processing the request (*i.e.*, if the estimated fee amount exceeds \$250 or the requester previously has failed to pay a FOIA fee in a timely manner). If the FOIA Officer does not receive the requester's written response to the notice regarding any of these items within 10 business days of the date of the FOIA Officer's written communication with the requester, the FOIA Officer will close the request. If requesting a fee waiver under § 1.561, the requester nonetheless may state his or her willingness to pay a fee up to an identified amount in the event that the fee waiver is denied; this will allow the component to process the FOIA request while considering the fee waiver request. If the requester pays a fee in advance, and VA later determines that the requester overpaid or is entitled to a full or partial fee waiver, a refund will be made. (For more information on the collection of fees under the FOIA, see § 1.561.)

* * * * *

■ 5. Revise § 1.556 paragraphs (c)(1) and (d)(3) to read as follows:

§ 1.556 Timing of responses to requests.

* * * * *

(c) * * *

(1) FOIA Officers may encounter "unusual circumstances," where it is not possible to meet the statutory time limits for processing the request. In such cases, the FOIA Officer will extend the 20-business day time limit for 10 more business days and notify the requester in writing of the unusual circumstances and the date by which it expects to complete processing of the request. Where an extension of more than 10 business days is needed, the FOIA Officer will notify the requester in writing and will include in the notice the following: An opportunity to modify the request so that it may be processed within the identified time limit; an opportunity to arrange an alternative time period with the FOIA Officer for processing the request or a modified request; notice of the availability of the agency FOIA Liaison, and the right to seek dispute resolution services from the Office of Government Information Services. Unusual circumstances consist of the following:

(i) The need to search for and collect the requested records from field facilities or components other than the office processing the request;

(ii) The need to search for, collect and examine a voluminous amount of separate and distinct records that are the subject of a single request; or

(iii) The need for consultation with another agency or among two or more

components or another agency having a substantial interest in the subject matter of a request.

* * * * *

(d) * * *

(3) Within 10 calendar days of its receipt of a request for expedited processing, the FOIA Officer shall determine whether to grant the request and will provide the requester written notice of the decision. If the FOIA Officer grants a request for expedited processing, the FOIA Officer shall give the request priority and process it as soon as practicable. If the FOIA Officer denies the request for expedited processing, the requester may appeal the denial, which appeal shall be addressed expeditiously.

■ 6. Revise § 1.557 paragraphs (a), (c), and (d) and revise and redesignate current paragraph (d) as paragraph (e) to read as follows:

§ 1.557 Responses to requests.

(a) *Acknowledgement of requests.* When a request for records is received by a component designated to receive requests, the component's FOIA Officer will assign a FOIA request number; the FOIA Officer will send the requester written acknowledgement of receipt of the request and will advise the requester of the assigned FOIA request number and how the requester may obtain the status of his or her request.

* * * * *

(c) *Time limits for processing requests.* A component must advise the requester within 20 business days from the date of VA's receipt of the request whether the request is granted in its entirety, granted in part, or denied in its entirety and provide the reasons therefor. If the request must be referred to another component, the response time will begin on the date that the request was received by the appropriate component, but in any event not later than 10 business days after the referring office receives the FOIA request; the referring component has an affirmative duty to refer the FOIA request within 10 business days.

(d) *Grants of requests in full.* When a component makes a determination to grant a request in full, it shall notify the requester in writing. The component also shall inform the requester of any fees charged under § 1.561. The component also must inform the requester of his or her right to seek the assistance of the appropriate VA FOIA Public Liaison and provide the contact information for the Liaison.

(e) *Adverse determinations of requests.* When a component makes an adverse determination denying the

request in any respect, the component FOIA Officer shall promptly notify the requester of the adverse determination in writing. Adverse determinations include decisions that a requested record is exempt from release in whole or in part, does not exist or cannot be located, is not readily reproducible in the form or format sought by the requester, or is not a record subject to the FOIA; adverse determinations also include denials regarding requests for expedited processing and requests involving fees, such as requests for fee waivers. The adverse determination notice must be signed by the component head or the component's FOIA Officer, and shall include the following:

(1) The name and title or position of the person responsible for the adverse determination;

(2) A brief statement of the reason(s) for the denial, including any FOIA exemptions applied by the FOIA Officer in denying the request;

(3) The amount of information withheld in number of pages or other reasonable form of estimation; an estimate is not necessary if the volume is indicated on redacted pages disclosed in part or if providing an estimate would harm an interest provided by an applicable exemption;

(4) Notice that the requester may appeal the adverse determination and a description of the requirements for an appeal under § 1.559 of this part; and

(5) Notice that the requester may seek assistance or dispute resolution services from the appropriate VA FOIA Liaison or dispute resolution services from the Office of Government Information Services.

■ 7. Revise § 1.558 paragraphs (c)(3) and (e) to read as follows:

§ 1.558 Business information.

* * * * *

(c) * * *

(3) Whenever the FOIA Officer notifies the submitter of VA's intent to disclose over the submitter's objections, the FOIA Officer will also notify the requester by separate correspondence.

* * * * *

(e) *Consideration of objection(s) and notice of intent to disclose.* The FOIA Officer will consider all pertinent factors, including but not limited to, the submitter's timely objection(s) to disclosure and the specific grounds provided by the submitter for non-disclosure in deciding whether to disclose business information. Information provided by the submitter after the specified time limit and after the component has made its disclosure decision generally will not be considered. In addition to meeting the

requirements of § 1.557, when a FOIA Officer decides to disclose business information over the objection of a submitter, the FOIA Officer will provide the submitter with written notice, which includes:

(1) A statement of the reason(s) why each of the submitter's disclosure objections were not sustained;

(2) A description of the business information to be disclosed; and

(3) A specified disclosure date of not less than 10 days from the date of the notice (to allow the submitter time to take necessary legal action).

* * * * *

■ 8. Revise § 1.559 paragraphs (b) through (d) to read as follows:

§ 1.559 Appeals

* * * * *

(b) *How to file and address a written appeal.* The requester may appeal an adverse determination denying the request, in any respect, except for those concerning Office of Inspector General records, to the VA Office of the General Counsel (024), 810 Vermont Avenue NW, Washington, DC 20420. Any appeals concerning Office of Inspector General records must be sent to the VA Office of Inspector General, Office of Counselor (50), 810 Vermont Avenue NW, Washington, DC 20420. The FOIA appeal must be in writing and may be by letter or facsimile (fax); whichever method is used, the appeal must comply with all requirements of this paragraph and paragraph (d). Information regarding where to fax the FOIA appeal is available on VA's FOIA homepage on the internet. See § 1.552(a) for the pertinent internet address.

(c) *How to file an email appeal.* VA accepts email appeals; the appeal must comply with all requirements of this paragraph and paragraph (d). In order to assure initial processing of an appeal filed by email, the email must be sent to one of the official VA FOIA mailboxes established for the purpose of receiving FOIA appeals; an email FOIA appeal that is sent to an individual VA employee's mailbox, or to any other entity, will not be considered a perfected FOIA appeal. Mailbox addresses designated to receive email FOIA appeals are available on VA's FOIA homepage. See § 1.552(a) for the pertinent internet address.

(d) *Time limits and content of appeal.* The appeal to the VA OGC (024) or VA Office of Inspector General (50) must be received or postmarked no later than 90 calendar days after the date of the adverse determination and must contain the following: A legible return address; clear identification of the determination being appealed, including any assigned

request number (if no request number was assigned, other information must be provided such as the name of the FOIA officer, the address of the component, the date of the component's determination, if any, and the precise subject matter of the appeal); and identification of the part of the determination that is being appealed (if appealing only a portion of the determination). If the appeal involves records about the requester himself or herself or records to which a confidentiality statute applies, the requester must comply with the verification of identity requirements set forth in 1.577 of this Part, which applies to requests for records maintained under the Privacy Act. If the appeal involves records not covered by the Privacy Act, but which the requester believes may pertain to him or her, the requester may obtain greater access to the records by complying with the verification of identity requirements set forth in 1.577 of this Part, providing the image of the requester's signature (such as an attachment that shows the requester's handwritten signature), or submitting a notarized, signed statement affirming his or her identity or a declaration made in compliance with 28 U.S.C. 1746. The suggested language for a statement under 28 U.S.C. 1746 is included on VA's FOIA homepage. See § 1.552(a) for the pertinent internet address. If the appeal involves records pertaining to another individual (*i.e.*, record subject), the requester may obtain greater access to the records if he or she provides satisfactory authorization to act on behalf of the record subject to receive the records or by submitting proof that the record subject is deceased (*e.g.*, a copy of a death certificate or an obituary). Each component has discretion to require that a requester supply additional information to verify that a record subject has consented to disclosure. Appeals should be marked "Freedom of Information Act Appeal." The requester may include other information as well, such as a telephone number and email address and a copy of the initial agency determination. An appeal is not perfected until VA either receives the required information identified above or the appeal is otherwise easily and sufficiently defined. The designated official within the Office of the General Counsel (024) will act on behalf of the Secretary on all appeals under this section, except those pertaining to the Office of Inspector General. The designated official in the Office of Inspector General will act on all appeals pertaining to Office of Inspector General records. A

determination by the Office of General Counsel, or designated official within the Office of Inspector General, will be the final VA action.

* * * * *

§ 1.561 [Amended]

- 9. Amend § 1.561 by:
 - a. Revising paragraphs (a), (b)(3), (d)(2), (e);
 - b. Adding paragraphs (e)(4)(iii) and (4)(iv);
 - c. Removing paragraphs (e)(5) and (e)(6);
 - d. Revising paragraph (f) and (g)(1);
 - e. Removing and reserving paragraph (g)(2), and
 - f. Revising paragraphs (h), (i), (l)(3), (l)(5), and (n)(1).

The revisions and additions read as follows:

§ 1.561 Fees.

(a) *General.* VA will charge for processing requests under the FOIA, as amended, and in accordance with this section. Requesters must pay fees by check or money order made payable to the Treasury of the United States. Payment by credit card also may be acceptable; the requester should contact the FOIA Officer for instructions on credit card payments. Note that fees associated with requests from VA beneficiaries, applicants for VA benefits, or other individuals, for records retrievable by their names or individual identifiers processed under 38 U.S.C. 5701 (records associated with claims for benefits) and 5 U.S.C. 552a (the Privacy Act), will be assessed fees in accordance with the applicable regulatory fee provisions relating to VA benefits and VA Privacy Act records.

(b) * * *

(3) *Direct costs* mean expenses that VA incurs in responding to a FOIA request; direct costs include searching for and duplication of (and in the case of commercial use requesters, reviewing) records to respond to a FOIA request, the hourly wage of the employee performing the work plus 16 percent of the hourly wage, and the cost of operating duplication machinery. Direct costs do not include overhead expenses, such as the costs of space or heating and lighting of the facility where the records are kept.

* * * * *

(d) * * *

(2) *Duplication.* When the agency provides duplicated records in response to a request, no more than one copy will be provided.

(3) * * *

(e) *Limitations on charging fees.* (1) When VA determines that a requester is an educational institution, a non-

commercial scientific institution, or a representative of the news media, VA will not charge search fees.

(2) VA charges fees in quarter hour increments; no search or review fee will be charged for a quarter hour period unless more than half of that period is required for search or review.

(3) VA may provide free copies of records or free services in response to an official request from another government agency or a congressional office and when a component head or designee determines that doing so will assist in providing medical care to a VA patient or will otherwise assist in the performance of VA's mission.

(4)(i) If VA fails to comply with the time limit to respond to a request, it may not charge search fees, or, in cases of requests from requesters described in paragraph (e)(1) of this section, may not charge duplication fees, except as described in paragraph (e)(4)(ii)–(iv).

(ii) If VA has determined that unusual circumstances as defined by the FOIA apply and has provided timely written notice to the requester in accordance with the FOIA, a failure to comply with the time limit shall be excused for an additional 10 days.

(iii) If VA has determined that unusual circumstances as defined by the FOIA apply and more than 5,000 pages are necessary to respond to the request, VA may charge search fees, or in the case of requesters described in paragraph (e)(1) of this section, may charge duplication fees, if the following steps are taken: VA must provide timely written notice of unusual circumstances to the requester in accordance with the FOIA and must discuss with the requester via written mail, email or telephone (and later confirmed in writing) (or have made not less than three good-faith attempts to do so) how the requester could effectively limit the scope of the request in accordance with 5 U.S.C. 552(a)(6)(B)(ii). If this exception is satisfied, the component may charge all applicable fees incurred in the processing of the request.

(iv) if a court has determined that exceptional circumstances exist, as defined by the FOIA, a failure to comply with the time limits shall be excused for the length of time provided by the court order.

(e)(5) [Removed]

(e)(6) [Removed]

(f) The following table summarizes the chargeable fees for each category of requester.

Category	Search fees	Review fees	Duplication fees
(1) Commercial Use	Yes	Yes	Yes.
(2) Educational Institution	No	No	Yes (100 pages or 1 disc free).
(3) Non-Commercial Scientific Institution	No	No	Yes (100 pages or 1 disc free).
(4) News Media	No	No	Yes (100 pages or 1 disc free).
(5) All other	Yes (2 hours free)	No	Yes (100 pages or 1 disc free).

(g) *Fee schedule.* If it is determined that a fee will be charged for processing the FOIA request, VA will charge the direct cost to the agency and in

accordance with the requester's fee category (see § 1.561(c)); to the extent possible, direct costs are itemized in paragraph 1 of this section. Duplication

fees also are applicable to records provided in response to requests made under the Privacy Act (see § 1.577(e),(f)).
(1) Schedule of fees:

Activity	Fees
(i) Duplication of standard size (8½" x 11"; 8½" x 14") paper records or records on electronic media.	Paper records: \$0.15 per page. Electronic media: \$3.00 per each compact disc (CD) or digital versatile disc (DVD). Direct cost to VA.
(ii) Duplication of non-paper items (e.g., x-rays), paper records which are not of a standard size (e.g., architectural drawings/construction plans or EKG tracings).	Direct cost to VA.
(iii) Record search by manual (non-automated) methods	Hourly wage of the employee(s), plus 16 percent.
(iv) Record search using automated methods, such as by computer	Direct cost to VA.
(v) Record review (for Commercial Use Requesters only)	Hourly rate of employees performing review to determine whether to release records and to prepare them for release, plus 16 percent.
(vi) Other activities, such as: Attesting under seal or certifying that records are true copies; sending records by special methods; forwarding mail; compiling and providing special reports, drawings, specifications, statistics, lists, abstracts or other extracted information; generating computer output; providing files under court process where the Federal Government is not a party to, and does not have an interest in, the litigation.	Direct cost to VA.

Note to paragraph (g)(1): VA will charge fees consistent with the salary scale published by the Office of Personnel Management (OPM).

(2) Reserved.

(h) *Notification of fee estimate or other fee issues.* (1) VA will not charge the requester if the fee is \$25.00 or less.

(2) When a FOIA Officer determines or estimates that the fees to be charged under this section will amount to more than \$25.00 or the amount set by OMB fee guidelines, whichever is higher, the FOIA Officer will notify the requester in writing of the actual or estimated amount of fees and ask the requester to provide written assurance of the payment of all fees or fees up to a designated amount, unless he or she has indicated a willingness to pay fees as high as those anticipated. Any such agreement to pay the fees shall be memorialized in writing. When the requester does not provide sufficient information upon which VA can identify a fee category (see paragraphs (c)(1) through (c)(4) of this section), or a clarification is otherwise required regarding a fee, the FOIA Officer may notify the requester and seek clarification; the notification to the requester will state that if a written response is not received within 10 days, the request will be closed. The timeline for responding to the request will be

tolled and no further work will be done on the request until the fee issue has been resolved.

(i) *Charges for other services.* Apart from the other provisions of this section, VA will charge the requester the direct costs of providing any special handling or services requested, such as certifying that records are true copies or sending them by other than ordinary mail. The FOIA Officer may choose to provide such a service as a matter of administrative discretion.

* * * * *

(1) * * *

(3) Where the requester previously has failed to pay a properly charged FOIA fee to VA within 30 days of the date of billing, a FOIA Officer may require the requester to pay the full amount due, plus any applicable interest as specified in this section, and to make an advance payment of the full amount of any anticipated fee, before the FOIA Officer begins to process a new request or continues to process a pending request from that requester.

* * * * *

(5) In cases in which a FOIA Officer requires advance payment or payment is due under this section, the time for responding to the request will be tolled and further work will not be done on

the request until the required payment is received.

* * * * *

(n) *Requirements for waiver or reduction of fees.* (1) Waiving or reducing fees. Fees for processing the request may be waived if the requester meets the criteria listed in this section. The requester must submit adequate justification for a fee waiver; without adequate justification, the request will be denied. The FOIA Officer may, at his or her discretion, communicate with the requester to seek additional information, if necessary, regarding the fee waiver request. If the additional information is not received from the requester within 10 days of the FOIA Officer's communication with the requester, VA will assume that the requester does not wish to pursue the fee waiver request and the fee waiver request will be closed. If the request for waiver or reduction is denied or closed, the underlying FOIA request will continue to be processed in accordance with the applicable provisions of this Part. Requests for fee waivers are decided on a case-by-case basis; receipt of a fee waiver in the past does not establish entitlement to a fee waiver each time a request is submitted.

* * * * *

■ 10. Revise § 1.577 paragraph (c) and (e) to read as follows:

§ 1.577 Access to Records.

* * * * *

(c) The VA component or staff office having jurisdiction over the records subject to the Privacy Act request will establish appropriate disclosure procedures, including notifying the individual who filed the Privacy Act request of the time, place, and conditions under which the VA will

comply with the request, in accordance with applicable laws and regulations. Access requests for Privacy Act records or information must be sent to the staff office that maintains the records; the individual seeking access may consult the system of record notice (https://www.oprm.va.gov/privacy/systems_of_records.aspx) in order to identify the office to which the request should be sent. Each component has discretion to

require that a requester supply additional information to verify his or her identity.

* * * * *

(e) Fees to be charged, if any, to any individual for making copies of his or her record shall not include the cost of and search for and review of the record. Fees under \$25.00 shall be waived. Fees to be charged are as follows:

Activity	Fees
(1) Duplication of documents by any type of reproduction process to produce plain one-sided paper copies of a standard size (8½" x 11"; 8½" x 14"; 11" x 14").	\$0.15 per page after first 100 one-sided pages or electronic equivalent.
(2) Duplication of non-paper records, such as microforms, audiovisual materials (motion pictures, slides, laser optical disks, video tapes, audio tapes, etc.), computer tapes and disks, diskettes for personal computers, and any other automated media output.	Direct cost to the Agency as defined in § 1.561(b)(3) of this part to the extent that it pertains to the cost of duplication.
(3) Duplication of document by any type of reproduction process not covered by paragraphs (e)(1) or (2) of this section to produce a copy in a form reasonably usable by the requester.	Direct cost to the Agency as defined in § 1.561(b)(3) of this part to the extent that it pertains to the cost of duplication.

* * * * *

■ 11. Revise § 1.580 to read as follows:

§ 1.580 Administrative review.

(a) Upon consideration and denial of a request under § 1.577 or § 1.579 of this section, the responsible VA official or designated employee will inform the requester *in writing* of the denial. The adverse determination notice must be signed by the component head or the component's Privacy Officer, and shall include the following:

- (1) The name and title or position of the person responsible for the adverse determination;
- (2) A brief statement of the reason(s) for the denial and the policy upon which the denial is based; and
- (3) Notice that the requester may appeal the adverse determination under

§ 1.580(b) of this part to the Office of General Counsel (providing the address as follows: Office of General Counsel (024), 810 Vermont Avenue NW, Washington, DC 20420), and instructions on what information is required for an appeal, which includes why the individual disagrees with the initial denial with specific attention to one or more of the four standards (*e.g.*, accuracy, relevance, timeliness, and completeness), and a copy of the denial letter and any supporting documentation that demonstrates why the individual believes the information does not meet these requirements.

(b) The final agency decision in appeals of adverse determinations described in paragraph (a) will be made by the designated official within the Office of General Counsel (024).

(c) A written denial must have occurred in order to appeal to OGC. An absence of a response to an access *or* amendment request filed with a VA component is *not* a denial. If an individual has not received a response to a request for access to or amendment of records, the individual must pursue the request with the Privacy Officer of the administration office (*e.g.*, the VHA, VBA, or National Cemetery Administration Privacy Officer) or staff office (*e.g.*, the Office of Information Technology or Office of Inspector General Privacy Staff Officer) that has custody over the records.

[FR Doc. 2018-06097 Filed 4-4-18; 8:45 am]

BILLING CODE 8320-01-P

Notices

Federal Register

Vol. 83, No. 66

Thursday, April 5, 2018

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

April 2, 2018.

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. 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 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 should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, Washington, DC; New Executive Office Building, 725 17th Street NW, Washington, DC 20503. Commenters are encouraged to submit their comments to OMB via email to: OIRA_Submission@omb.eop.gov or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602.

Comments regarding these information collections are best assured of having their full effect if received by May 7, 2018. Copies of the submission(s) may be obtained by calling (202) 720–8681.

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.

Agricultural Marketing Service

Title: Cranberries Grown in Multiple States.

OMB Control Number: 0581–0304.

Summary of Collection: The Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 *et seq.*; Act), the U.S. Department of Agriculture (USDA) has authority to promulgate and oversee marketing orders to regulate the handling of an agricultural commodity placed in interstate or foreign commerce. Marketing orders are proposed and voted in by producers, and apply to handlers who place the product in commercial channels. Handlers are those companies that typically purchase products from producers for packaging, processing, and transporting the product for commercial or retail sales. Section 608d(1) of the Act provides that information necessary to determine the extent to which a marketing order has effectuated the declared policy of the Act shall be furnished at the request of the Secretary of Agriculture. The Agricultural Marketing Service (AMS) oversees the marketing order through the Committee made up of industry-nominated and USDA-appointed members, and any administrative rules and regulations issued under the proposed program.

Need and Use of the Information: AMS will collect information using five forms. The rule and regulations in 7 CFR part 929 authorize USDA and the Committee to collect certain information from handlers on the volume of cranberries withheld, certification of the proper disposal outlets, and any appeals made by a handler regarding withholdings. This information is necessary for the Secretary and the Committee to monitor adherence to the marketing order regulations, specifically for the handler withholding program. If this information was not collected, the Committee would have no way to carry out the volume control regulations.

Description of Respondents: Business or other for-profit.

Number of Respondents: 10.

Frequency of Responses: Recordkeeping; Reporting: On occasion.

Total Burden Hours: 37.

Ruth Brown,

*Departmental Information Collection
Clearance Officer.*

[FR Doc. 2018–06927 Filed 4–4–18; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Notice of Intent To Certify Virginia Department of Agriculture and Consumer Services (Virginia); Request for Comments

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice and Request for Comments.

SUMMARY: AMS is asking for comments on the quality of services provided by this Delegated State: Virginia Department of Agriculture and Consumer Services (Virginia). The realignment of offices within the U.S. Department of Agriculture authorized by the Secretary's Memorandum dated November 14, 2017, eliminates the Grain Inspection, Packers and Stockyard Administration (GIPSA) as a standalone agency. The grain inspection activities formerly part of GIPSA are now organized under AMS.

DATES: Comments must be received by May 7, 2018.

ADDRESSES: Submit comments concerning this Notice using any of the following methods:

- *Submit Comments Using the Internet:* Go to [Regulations.gov](http://www.regulations.gov) (<http://www.regulations.gov>). Instructions for submitting and reading comments are detailed on the site.

- *Mail, Courier or Hand Delivery:* Mark Wooden, Compliance Officer, USDA, AMS, FGIS, QACD, 10383 North Ambassador Drive, Kansas City, MO 64153.

- *Fax:* Mark Wooden, 816–872–1257.
- *Email:* Mark.J.Wooden@ams.usda.gov or FGISQACD@ams.usda.gov.

Read Comments: All comments are available for public inspection at the office above during regular business hours (7 CFR 1.27(c)).

FOR FURTHER INFORMATION CONTACT:

Mark Wooden, 816-659-8413,
 Mark.J.Wooden@ams.usda.gov or
 FGISQACD@ams.usda.gov.

SUPPLEMENTARY INFORMATION: Section 7(e)(2)(A) of the United States Grain Standards Act (USGSA) designates that if the Secretary determines, pursuant to paragraph (3) of Section 7(e), that a State agency is qualified to perform official inspection, meets the criteria in subsection (f)(1)(A) of Section 7, and (i) was performing official inspection at an export port location under this chapter on July 1, 1976, or (ii)(I) performed official inspection at an export port location at any time prior to July 1, 1976, (II) was designated under subsection (f) of Section 7 on December 22, 1982, to perform official inspections at locations other than export port locations, and (III) operates in a State from which total annual exports do not exceed, as determined by the Secretary, five per centum of the total amount of grain exported from the United States annually, the Secretary may delegate authority to the State agency to perform all or specified functions involving official inspection (other than appeal inspection) at export port locations within the State, including export port locations which may in the future be established, subject to such rules, regulations, instructions, and oversight as the Secretary may prescribe, and any such official inspection shall continue to be the direct responsibility of the Secretary. Any such delegation may be revoked by the Secretary, at the discretion of the Secretary, at any time upon notice to the State agency without opportunity for a hearing. Under Section 7(e) of the USGSA, every five years, the Secretary shall certify that each State agency with a delegation of authority is meeting the criteria described in subsection (f)(1)(A). Delegations shall be renewed according to the criteria and procedures set forth in Section 7(e)(2)(B) of the USGSA.

Area of Delegation*Virginia*

Pursuant to Section 7(e)(2) of the USGSA, the following export port locations in the State of Virginia are assigned to this State agency.

In Virginia:

All export port locations in the State of Virginia.

Request for Comments

We are publishing this Notice to provide interested persons the opportunity to comment on the quality of services provided by the State of Virginia. We are particularly interested

in receiving comments citing reasons and pertinent data supporting or objecting to the delegation of the applicant. Submit all comments to Mark Wooden at the above address or at <http://www.regulations.gov>.

We consider comments and other available information when determining certification.

Authority: 7 U.S.C. 71-87k.

Dated: April 2, 2018.

Greg Ibach,

Under Secretary, Marketing and Regulatory Programs.

[FR Doc. 2018-06969 Filed 4-4-18; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE**Natural Resources Conservation Service**

[Docket No. NRCS-2018-0003]

Notice of Availability of the Alabama Trustee Implementation Group Draft Restoration Plan II/Environmental Assessment: Wetlands, Coastal and Nearshore Habitats, Habitat Projects on Federally Managed Lands, Nutrient Reduction (Nonpoint Source), Sea Turtles, Marine Mammals, Birds, and Oysters

AGENCY: Natural Resources Conservation Service (NRCS), Agriculture.

ACTION: Notice of availability.

SUMMARY: In accordance with the Oil Pollution Act (OPA) of 1990 and the National Environmental Policy Act (NEPA), the *Deepwater Horizon* Federal and State natural resource trustee agencies for the Alabama Trustee Implementation Group (Alabama TIG) have prepared a draft Restoration Plan II/Environmental Assessment (RP II/EA). The draft RP II/EA describes the restoration project alternatives considered by the Alabama TIG to meet the Trustee's goals to restore and conserve habitat, to replenish and protect living coastal and marine resources, to restore water quality, and to provide for monitoring and adaptive management. The Alabama TIG evaluated these alternatives under criteria set forth in the OPA natural resource damage assessment (NRDA) regulations, as well as the environmental consequences in accordance with NEPA. Monitoring and adaptive management activities to address information gaps necessary to inform future restoration are also included in the draft plan. The purpose of this notice is to inform the public of

the availability of the draft RP II/EA and to seek public comments on the document.

DATES: The Alabama TIG will consider public comments received on or before May 4, 2018.

Public Meeting: On April 18, 2018, the Alabama TIG will host a public meeting to facilitate public review of the draft RP II/EA. The meeting will begin with an open house and be followed by a formal meeting where the Alabama TIG will present the draft RP II/EA and receive verbal comments from members of the public. Alabama TIG representatives will be present during the open house and will be available to answer questions. The Alabama TIG also will accept written comments during the public meeting. The public meeting schedule and details are listed in the **SUPPLEMENTARY INFORMATION** section.

ADDRESSES: *Obtaining Documents:* You may download the draft RP II/EA at [http://](http://www.gulfspillrestoration.noaa.gov)

www.gulfspillrestoration.noaa.gov. Alternatively, you may request a CD of the draft RP II/EA (see **FOR FURTHER INFORMATION CONTACT**). Also, you may view the document at any of the public facilities listed at [http://](http://www.gulfspillrestoration.noaa.gov)

www.gulfspillrestoration.noaa.gov. *Submitting Comments:* You may submit comments on the draft RP II/EA by one of following methods:

- *The web:* <https://parkplanning.nps.gov/XXXX>
- *U.S. Mail:* U.S. Fish and Wildlife Service, P.O. Box 49567, Atlanta, Georgia 30345. Please note that mailed comments must be postmarked on or before the comment deadline of May 4, 2018, to be considered.

FOR FURTHER INFORMATION CONTACT:

- USDA—Ronald Howard, ron.howard@ms.usda.gov.
- State of Alabama—Amy Hunter, amy.hunter@dcnr.alabama.gov.

SUPPLEMENTARY INFORMATION:**Introduction**

On April 20, 2010, the mobile offshore drilling unit, *Deepwater Horizon*, which was being used to drill a well for BP Exploration and Production Inc. (BP), in the Macondo prospect (Mississippi Canyon 252-MC252), exploded, caught fire, and subsequently sank in the Gulf of Mexico, resulting in an unprecedented volume of oil and other discharges from the rig and from the wellhead on the seabed. The *Deepwater Horizon* Oil Spill is the largest oil spill in United States history, discharging millions of barrels of oil over a period of 87 days.

In addition, well over one million gallons of dispersants were applied to the waters of the spill area in an attempt to disperse the spilled oil. Also, an undetermined amount of natural gas was released into the environment as a result of the spill.

The *Deepwater Horizon* State and Federal natural resource trustees (DWH Trustees) conducted the natural resource damage assessment (NRDA) for the *Deepwater Horizon* Oil Spill under OPA 1990 (OPA, 33 U.S.C. Sec. 2701 *et seq.*). Pursuant to OPA, Federal and State agencies act as trustees on behalf of the public to assess natural resource injuries and losses, and to determine the actions required to compensate the public for those injuries and losses. OPA further instructs the designated trustees to develop and implement a plan for the restoration, rehabilitation, replacement, or acquisition of the equivalent of the injured natural resources under their trusteeship, including the loss of use and services from those resources from the time of injury until the time of restoration to baseline (the resource quality and conditions that would exist if the spill had not occurred) is complete.

The DWH Trustees are—

- U.S. Department of the Interior (DOI), as represented by the National Park Service (NPS), U.S. Fish and Wildlife Service (FWS), and Bureau of Land Management (BLM)
- National Oceanic and Atmospheric Administration (NOAA), on behalf of the U.S. Department of Commerce (DOC)
- U.S. Department of Agriculture (USDA)
- U.S. Environmental Protection Agency (EPA)
- State of Louisiana Coastal Protection and Restoration Authority, Oil Spill Coordinator's Office, Department of Environmental Quality, Department of Wildlife and Fisheries, and Department of Natural Resources
- State of Mississippi Department of Environmental Quality
- State of Alabama Department of Conservation and Natural Resources and Geological Survey of Alabama
- State of Florida Department of Environmental Protection and Fish and Wildlife Conservation Commission
- For the State of Texas, Texas Parks and Wildlife Department, Texas General Land Office, and Texas Commission on Environmental Quality

The DWH Trustees reached and finalized a settlement of their natural resource damage claims with BP in a

Consent Decree¹ approved by the United States District Court for the Eastern District of Louisiana. Pursuant to that Consent Decree, restoration projects in Alabama are now chosen and managed by the Alabama TIG. The Alabama TIG is composed of the following Trustees:

- DOI, as represented by NPS, FWS, and BLM
- NOAA, on behalf of DOC
- USDA
- EPA
- State of Alabama Department of Conservation and Natural Resources
- Geological Survey of Alabama

This restoration planning activity is proceeding in accordance with the *Deepwater Horizon* Oil Spill: Final Programmatic Damage Assessment and Restoration Plan (PDARP) and Final Programmatic Environmental Impact Statement (PEIS). Restoration types evaluated in the draft RP II/EA include: Wetlands, Coastal and Nearshore Habitats; Habitat Projects on Federally Managed Lands; Nutrient Reduction (Nonpoint Source), Sea Turtles, Marine Mammals, Birds, and Oysters. Information on the Restoration Types evaluated in the draft RP II/EA, as well as the OPA criteria against which project ideas are being evaluated, can be viewed in the PDARP/PEIS (<http://www.gulfspillrestoration.noaa.gov/restoration-planning/gulf-plan>).

Background

In December 2016, as part of its restoration planning efforts, the Alabama TIG asked the public for project ideas that could benefit Wetlands, Coastal, and Nearshore Habitats; Habitat Projects on Federally Managed Lands, Nutrient Reduction (Nonpoint Source), Sea Turtles, Marine Mammals, Birds, and Oysters in the Alabama Restoration Area. The project submissions received through this process, along with projects previously submitted during prior restoration planning processes, resulted in the project alternatives evaluated in the draft RP II/EA.

Overview of the Draft RP II/EA

The draft RP II/EA is being released in accordance with the OPA NRDA regulations in the Code of Federal Regulations (CFR) at 15 CFR part 990, and the NEPA (42 U.S.C. Sec. 4321 *et seq.*). In the draft RP II/EA, the Alabama TIG proposes implementation of the following projects:

- Five projects within the Wetlands, Coastal, and Nearshore Habitats Restoration Type
 - Magnolia River Land Acquisition (Holmes Tract)
 - Weeks Bay Land Acquisition East Gateway Tract
 - Weeks Bay Land Acquisition Harrod Tract
 - Lower Perdido Islands Restoration Phase I (Engineering & Design [E&D])
 - Southwestern Coffee Island Habitat Restoration Project-Phase I (also proposed for funding under the Birds Restoration Type) (E&D)
- Two projects within the Habitat Projects on Federally Managed Lands Restoration Type
 - Little Lagoon Living Shoreline
 - Restoring the Night Sky—Assessment, Training, and Outreach (also proposed for funding under the Sea Turtles Restoration Type and for monitoring and adaptive management [MAM] funding) (E&D)
- Three projects within the Nutrient Reduction (Nonpoint Source) Restoration Type
 - Toulmins Springs Branch E&D (E&D)
 - Fowl River Nutrient Reduction
 - Weeks Bay Nutrient Reduction
- Four projects within the Sea Turtles Restoration Type
 - Coastal Alabama Sea Turtle (CAST) Conservation Program—“Share the Beach”
 - CAST Triage
 - CAST Habitat Usage and Population Dynamics
 - CAST Protection: Enhancement and Education
- Two projects within the Marine Mammals Restoration Type
 - Enhancing Capacity for the Alabama Marine Mammal Stranding Network
 - Alabama Estuarine Bottlenose Dolphin Protection: Enhancement and Education
- Two projects within the Birds Restoration Type
 - Southwestern Coffee Island Habitat Restoration Project-Phase I (also proposed for funding under the Wetlands, Coastal, and Nearshore Habitats Restoration Type) (E&D)
 - Colonial Nesting Wading Bird Tracking and Habitat Use Assessment—Two Species
- Four projects within the Oysters Restoration Type
 - Oyster Cultch Relief and Reef Configuration
 - Side-scan Mapping of Mobile Bay Relic Oyster Reefs (E&D)

¹ <https://www.justice.gov/enrd/file/838066/download>.

- Oyster Hatchery at Claude Peteet Mariculture Center—High Spat Production with Study
- Oyster Grow-Out and Restoration Reef Placement

Two activities are proposed for funding, in whole or in part, with the Alabama TIGs Monitoring and Adaptive Management Allocation

- Assessment of Alabama Estuarine Bottlenose Dolphin Populations and Health
- Restoring the Night Sky—Assessment, Training, and Outreach (also proposed for funding under the Habitats on Federally Managed Lands Restoration Type) (E&D)

The draft RP II/EA also evaluates No Action Alternatives for each of the Restoration Types.

The Alabama TIG has determined that the restoration projects and monitoring and adaptive management activities proposed for funding are appropriate to partially compensate for the injuries for these Restoration Types described in PDARP/PEIS. In the draft RP II/EA, the Alabama TIG presents to the public its plan for providing partial compensation to the public for natural resources and ecological services injured or lost in Alabama as a result of the Deepwater Horizon Oil Spill. The projects described in the draft RP II/EA are most appropriate for addressing injuries to: Wetlands, Coastal and Nearshore Habitats; Habitat Projects on Federally Managed Lands, Nutrient Reduction (Nonpoint Source), Sea Turtles, Marine Mammals, Birds, and Oysters, and as

monitoring and adaptive management activities.

Next Steps

The public is encouraged to review and comment on the draft RP II/EA. As described above, a public meeting is scheduled to facilitate the public review and comment process. After the close of the public comment period, the Alabama TIG will consider and address the comments received before issuing a final RP II/EA. A summary of comments received, the Alabama TIG’s responses, and any revisions to the document, as appropriate, will be included in the final document.

PUBLIC MEETING SCHEDULE

Date	Time (local times)	Location
Wednesday, April 18, 2018	6 p.m. Open House; 6:30 p.m. Public Meeting.	Five River Tensaw Theater, 31115 Five River Boulevard, Spanish Fort, Alabama 36527.

Invitation to Comment

The Alabama TIG seeks public review and comment on the draft RP II/EA. Before including your address, telephone 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 publicly available at any time.

Administrative Record

The documents included in the Administrative Record can be viewed electronically at the following location: <http://www.doi.gov/deepwaterhorizon/adminrecord>.

Authority: The authority of this action is the OPA of 1990 (33 U.S.C. Sec. 2701 *et seq.*), the implementing NRDA regulations at 15 CFR part 990, and NEPA (42 U.S.C. Sec. 4321 *et seq.*).

Signed this 20th day of March, 2018, in Washington, DC.

Leonard Jordan,

Acting Chief, Natural Resources Conservation Service.

[FR Doc. 2018-06929 Filed 4-4-18; 8:45 am]

BILLING CODE 3410-16-P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

[Docket No. 180129092-8092-01]

RIN 0691-XC079

BE-9: Quarterly Survey of Foreign Airline Operators’ Revenues and Expenses in the United States

AGENCY: Bureau of Economic Analysis, Commerce.

ACTION: Notice of reporting requirements.

SUMMARY: By this Notice, the Bureau of Economic Analysis (BEA), Department of Commerce, is informing the public that it is conducting the mandatory survey titled Quarterly Survey of Foreign Airline Operators’ Revenues and Expenses in the United States (BE-9). The data collected on the BE-9 survey are needed to measure U.S. trade in transport services and to analyze the impact of U.S. trade on the U.S. and foreign economies. This survey is authorized by the International Investment and Trade in Services Survey Act.

FOR FURTHER INFORMATION CONTACT: Christopher Stein, Chief, Services Surveys Branch (BE-50), Balance of Payments Division, Bureau of Economic Analysis, U.S. Department of Commerce, 4600 Silver Hill Road, Washington, DC 20233; phone (301) 278-9189; or via email at Christopher.Stein@bea.gov.

SUPPLEMENTARY INFORMATION: Through this Notice, BEA publishes the reporting requirements for the BE-9 survey form. As noted below, all entities required to respond to this mandatory survey will be contacted by BEA. Entities must submit the completed survey forms within 45 days after the end of each calendar quarter. This Notice is being issued in conformance with the rule BEA issued on April 24, 2012 (77 FR 24373), establishing guidelines for collecting data on international trade in services and direct investment through notices, rather than through rulemaking. Additional information about BEA’s collection of data on international trade in services and direct investment can be found in the 2012 rule, the International Investment and Trade in Services Survey Act (22 U.S.C. 3101 *et seq.*), and 15 CFR part 801. Survey data on international trade in services and direct investment that are not collected pursuant to the 2012 rule are described separately in 15 CFR part 801. The BE-9 survey form and instructions are available at www.bea.gov/ssb.

Reporting

Notice of specific reporting requirements, including who is to report, the information to be reported, the manner of reporting, and the time and place of filing reports, will be mailed to those required to complete this survey.

Who Must Report: (a) Reports are required from U.S. offices, agents, or

other representatives of foreign airline operators that had total reportable revenues or total reportable expenses that were \$5,000,000 or more during the prior year, or are expected to be \$5,000,000 or more during the current year.

(b) Entities required to report will be contacted individually by BEA. Entities not contacted by BEA have no reporting responsibilities.

What To Report: The survey collects information on foreign airline operators' revenues and expenses in the United States.

How To Report: Reports can be filed using BEA's electronic reporting system at www.bea.gov/efile. Copies of the survey forms and instructions, which contain complete information on reporting procedures and definitions, can be downloaded from www.bea.gov/ssb and submitted through mail or fax. Form BE-9 inquiries can be made by phone to BEA at (301) 278-9303 or by sending an email to be-9help@bea.gov.

When To Report: Reports are due to BEA 45 days after the end of each calendar quarter.

Paperwork Reduction Act Notice

This data collection has been approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act and assigned control number 0608-0068. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB. Public reporting burden for this collection of information is estimated to average 6 hours per response. Additional information regarding this burden estimate may be viewed at www.reginfo.gov; under the Information Collection Review tab, click on "Search" and use the above OMB control number to search for the current survey instrument. Send comments regarding this burden estimate to Director, Bureau of Economic Analysis (BE-1), U.S. Department of Commerce, 4600 Silver Hill Rd., Washington, DC 20233; and to the Office of Management and Budget, Paperwork Reduction Project 0608-0068, 725 17th Street NW, Washington, DC 20503, or via email at OIRA_Submission@omb.eop.gov.

Authority: 22 U.S.C. 3101-3108.

Brian C. Moyer,

Director, Bureau of Economic Analysis.

[FR Doc. 2018-06908 Filed 4-4-18; 8:45 am]

BILLING CODE 3510-06-P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

[Docket No. 180130099-8099-01]

RIN 0691-XC080

BE-37: Quarterly Survey of U.S. Airline Operators' Foreign Revenues and Expenses

AGENCY: Bureau of Economic Analysis, Commerce.

ACTION: Notice of reporting requirements.

SUMMARY: By this Notice, the Bureau of Economic Analysis (BEA), Department of Commerce, is informing the public that it is conducting the mandatory survey titled Quarterly Survey of U.S. Airline Operators' Foreign Revenues and Expenses (BE-37). The data collected on the BE-37 survey are needed to measure U.S. trade in transport services and to analyze the impact of U.S. trade on the U.S. and foreign economies. This survey is authorized by the International Investment and Trade in Services Survey Act.

FOR FURTHER INFORMATION CONTACT:

Christopher Stein, Chief, Services Surveys Branch (BE-50), Balance of Payments Division, Bureau of Economic Analysis, U.S. Department of Commerce, 4600 Silver Hill Road, Washington, DC 20233; phone (301) 278-9189; or via email at Christopher.Stein@bea.gov.

SUPPLEMENTARY INFORMATION: Through this Notice, BEA publishes the reporting requirements for the BE-37 survey form. As noted below, all entities required to respond to this mandatory survey will be contacted by BEA. Entities must submit the completed survey forms within 45 days after the end of each calendar quarter. This Notice is being issued in conformance with the rule BEA issued on April 24, 2012 (77 FR 24373), establishing guidelines for collecting data on international trade in services and direct investment through notices, rather than through rulemaking. Additional information about BEA's collection of data on international trade in services and direct investment can be found in the 2012 rule, the International Investment and Trade in Services Survey Act (22 U.S.C. 3101 *et seq.*), and 15 CFR part 801. Survey data on international trade in services and direct investment that are not collected pursuant to the 2012 rule are described separately in 15 CFR part 801. The BE-37 survey form and instructions are available at www.bea.gov/ssb.

Reporting

Notice of specific reporting requirements, including who is to report, the information to be reported, the manner of reporting, and the time and place of filing reports, will be mailed to those required to complete this survey.

Who Must Report: (a) Reports are required from U.S. airline operators that had total reportable revenues or total reportable expenses that were \$500,000 or more during the prior year, or are expected to be \$500,000 or more during the current year.

(b) Entities required to report will be contacted individually by BEA. Entities not contacted by BEA have no reporting responsibilities.

What To Report: The survey collects information on U.S. airline operators' foreign revenues and expenses.

How To Report: Reports can be filed using BEA's electronic reporting system at www.bea.gov/efile. Copies of the survey forms and instructions, which contain complete information on reporting procedures and definitions, can be downloaded from www.bea.gov/ssb and submitted through mail or fax. Form BE-37 inquiries can be made by phone to BEA at (301) 278-9303 or by sending an email to be-37help@bea.gov.

When To Report: Reports are due to BEA 45 days after the end of each calendar quarter.

Paperwork Reduction Act Notice

This data collection has been approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act and assigned control number 0608-0011. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB. Public reporting burden for this collection of information is estimated to average 4 hours per response. Additional information regarding this burden estimate may be viewed at www.reginfo.gov; under the Information Collection Review tab, click on "Search" and use the above OMB control number to search for the current survey instrument. Send comments regarding this burden estimate to Director, Bureau of Economic Analysis (BE-1), U.S. Department of Commerce, 4600 Silver Hill Rd., Washington, DC 20233; and to the Office of Management and Budget, Paperwork Reduction Project 0608-0011, 725 17th Street NW, Washington, DC 20503, or via email at OIRA_Submission@omb.eop.gov.

Authority: 22 U.S.C. 3101–3108.

Brian C. Moyer,

Director, Bureau of Economic Analysis.

[FR Doc. 2018–06901 Filed 4–4–18; 8:45 am]

BILLING CODE 3510–06–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

[Docket No. 180129091–8091–01]

RIN 0691–XC078

BE–29: Annual Survey of Foreign Ocean Carriers' Expenses in the United States

AGENCY: Bureau of Economic Analysis, Commerce.

ACTION: Notice of reporting requirements.

SUMMARY: By this Notice, the Bureau of Economic Analysis (BEA), Department of Commerce, is informing the public that it is conducting the mandatory survey titled Annual Survey of Foreign Ocean Carriers' Expenses in the United States (BE–29). The data collected on the BE–29 survey are needed to measure U.S. trade in transport services and to analyze the impact of U.S. trade on the U.S. and foreign economies. This survey is authorized by the International Investment and Trade in Services Survey Act.

FOR FURTHER INFORMATION CONTACT: Christopher Stein, Chief, Services Surveys Branch (BE–50), Balance of Payments Division, Bureau of Economic Analysis, U.S. Department of Commerce, 4600 Silver Hill Road, Washington, DC 20233; phone (301) 278–9189; or via email at Christopher.Stein@bea.gov.

SUPPLEMENTARY INFORMATION: Through this Notice, BEA publishes the reporting requirements for the BE–29 survey form. As noted below, all entities required to respond to this mandatory survey will be contacted by BEA. Entities must submit the completed survey forms within 90 days after the end of each calendar year. This Notice is being issued in conformance with the rule BEA issued on April 24, 2012 (77 FR 24373), establishing guidelines for collecting data on international trade in services and direct investment through notices, rather than through rulemaking. Additional information about BEA's collection of data on international trade in services and direct investment can be found in the 2012 rule, the International Investment and Trade in Services Survey Act (22 U.S.C. 3101 *et seq.*), and 15 CFR part 801. Survey data on

international trade in services and direct investment that are not collected pursuant to the 2012 rule are described separately in 15 CFR part 801. The BE–29 survey form and instructions are available at www.bea.gov/ssb.

Reporting

Notice of specific reporting requirements, including who is to report, the information to be reported, the manner of reporting, and the time and place of filing reports, will be mailed to those required to complete this survey.

Who Must Report: (a) Reports are required from U.S. agents of foreign carriers who handle 40 or more foreign ocean carrier port calls in the reporting period, or had covered expenses of \$250,000 or more in the reporting period for all foreign ocean vessels handled by the U.S. Agent.

(b) Entities required to report will be contacted individually by BEA. Entities not contacted by BEA have no reporting responsibilities.

What To Report: This survey collects information on foreign ocean carriers' expenses in the United States.

How To Report: Reports can be filed using BEA's electronic reporting system at www.bea.gov/efile. Copies of the survey forms and instructions, which contain complete information on reporting procedures and definitions, can be downloaded from www.bea.gov/ssb and submitted through mail or fax. Form BE–29 inquiries can be made by phone to BEA at (301) 278–9303 or by sending an email to be-29help@bea.gov.

When To Report: Reports are due to BEA 90 days after the end of each calendar year.

Paperwork Reduction Act Notice

This data collection has been approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act and assigned control number 0608–0012. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB. Public reporting burden for this collection of information is estimated to average 3 hours per response. Additional information regarding this burden estimate may be viewed at www.reginfo.gov; under the Information Collection Review tab, click on "Search" and use the above OMB control number to search for the current survey instrument. Send comments regarding this burden estimate to Director, Bureau of Economic Analysis (BE–1), U.S. Department of Commerce, 4600 Silver Hill Rd., Washington, DC

20233; and to the Office of Management and Budget, Paperwork Reduction Project 0608–0012, 725 17th Street NW, Washington, DC 20503, or via email at OIRA_Submission@omb.eop.gov.

Authority: 22 U.S.C. 3101–3108.

Brian C. Moyer,

Director, Bureau of Economic Analysis.

[FR Doc. 2018–06906 Filed 4–4–18; 8:45 am]

BILLING CODE 3510–06–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

[Docket No. 180130100–8100–01]

RIN 0691–XC081

BE–45: Quarterly Survey of Insurance Transactions by U.S. Insurance Companies With Foreign Persons

AGENCY: Bureau of Economic Analysis, Commerce.

ACTION: Notice of reporting requirements.

SUMMARY: By this Notice, the Bureau of Economic Analysis (BEA), Department of Commerce, is informing the public that it is conducting the mandatory survey titled Quarterly Survey of Insurance Transactions by U.S. Insurance Companies with Foreign Persons (BE–45). The data collected on the BE–45 survey are needed to measure U.S. trade in insurance services and to analyze the impact of U.S. trade on the U.S. and foreign economies. This survey is authorized by the International Investment and Trade in Services Survey Act.

FOR FURTHER INFORMATION CONTACT: Christopher Stein, Chief, Services Surveys Branch (BE–50), Balance of Payments Division, Bureau of Economic Analysis, U.S. Department of Commerce, 4600 Silver Hill Road, Washington, DC 20233; phone (301) 278–9189; or via email at Christopher.Stein@bea.gov.

SUPPLEMENTARY INFORMATION:

Through this Notice, BEA publishes the reporting requirements for the BE–45 survey form. As noted below, all entities required to respond to this mandatory survey will be contacted by BEA. Entities must submit the completed survey forms within 60 days after the end of each calendar quarter, except for the final quarter of the calendar year when reports must be filed within 90 days. This Notice is being issued in conformance with the rule BEA issued on April 24, 2012 (77 FR 24373), establishing guidelines for collecting data on international trade in

services and direct investment through notices, rather than through rulemaking. Additional information about BEA's collection of data on international trade in services and direct investment can be found in the 2012 rule, the International Investment and Trade in Services Survey Act (22 U.S.C. 3101 *et seq.*), and 15 CFR part 801. Survey data on international trade in services and direct investment that are not collected pursuant to the 2012 rule are described separately in 15 CFR part 801. The BE-45 survey form and instructions are available at www.bea.gov/ssb.

Reporting

Notice of specific reporting requirements, including who is to report, the information to be reported, the manner of reporting, and the time and place of filing reports, will be mailed to those required to complete this survey.

Who Must Report: (a) Reports are required from U.S. persons whose covered transactions exceeded \$8 million (positive or negative) during the prior calendar year, or are expected to exceed that amount during the current calendar year.

(b) Entities required to report will be contacted individually by BEA. Entities not contacted by BEA have no reporting responsibilities.

What To Report: The survey collects information on cross-border insurance transactions between U.S. insurance companies and foreign persons.

How To Report: Reports can be filed using BEA's electronic reporting system at www.bea.gov/efile. Copies of the survey forms and instructions, which contain complete information on reporting procedures and definitions, can be downloaded from www.bea.gov/ssb and submitted through mail or fax. Form BE-45 inquiries can be made by phone to BEA at (301) 278-9303 or by sending an email to be-45help@bea.gov.

When To Report: Reports are due to BEA 60 days after the end of each calendar quarter, except for the final quarter of the calendar year when reports must be filed within 90 days.

Paperwork Reduction Act Notice

This data collection has been approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act and assigned control number 0608-0066. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB. Public reporting burden for this collection of information is estimated to average 8 hours per

response. Additional information regarding this burden estimate may be viewed at www.reginfo.gov; under the Information Collection Review tab, click on "Search" and use the above OMB control number to search for the current survey instrument. Send comments regarding this burden estimate to Director, Bureau of Economic Analysis (BE-1), U.S. Department of Commerce, 4600 Silver Hill Rd., Washington, DC 20233; and to the Office of Management and Budget, Paperwork Reduction Project 0608-0066, 725 17th Street NW, Washington, DC 20503, or via email at OIRA_Submission@omb.eop.gov.

Authority: 22 U.S.C. 3101-3108.

Brian C. Moyer,

Director, Bureau of Economic Analysis.

[FR Doc. 2018-06975 Filed 4-4-18; 8:45 am]

BILLING CODE 3510-06-P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

[Docket No. 180125075-8075-01]

RIN 0691-XC073

BE-125: Quarterly Survey of Transactions in Selected Services and Intellectual Property With Foreign Persons

AGENCY: Bureau of Economic Analysis, Commerce.

ACTION: Notice of reporting requirements.

SUMMARY: By this Notice, the Bureau of Economic Analysis (BEA), Department of Commerce, is informing the public that it is conducting the mandatory survey titled Quarterly Survey of Transactions in Selected Services and Intellectual Property with Foreign Persons (BE-125). The data collected on the BE-125 survey are needed to measure U.S. trade in services and to analyze the impact of U.S. trade on the U.S. and foreign economies. This survey is authorized by the International Investment and Trade in Services Survey Act.

FOR FURTHER INFORMATION CONTACT:

Christopher Stein, Chief, Services Surveys Branch (BE-50), Balance of Payments Division, Bureau of Economic Analysis, U.S. Department of Commerce, 4600 Silver Hill Road, Washington, DC 20233; phone (301) 278-9189; or via email at Christopher.Stein@bea.gov.

SUPPLEMENTARY INFORMATION: Through this Notice, BEA publishes the reporting requirements for the BE-125 survey form. As noted below, all entities

required to respond to this mandatory survey will be contacted by BEA. Entities must submit the completed survey forms within 45 days after the end of each fiscal quarter, except for the final quarter of the entity's fiscal year when reports must be filed within 90 days. This Notice is being issued in conformance with the rule BEA issued on April 24, 2012 (77 FR 24373), establishing guidelines for collecting data on international trade in services and direct investment through notices, rather than through rulemaking. Additional information about BEA's collection of data on international trade in services and direct investment can be found in the 2012 rule, the International Investment and Trade in Services Survey Act (22 U.S.C. 3101 *et seq.*), and 15 CFR part 801. Survey data on international trade in services and direct investment that are not collected pursuant to the 2012 rule are described separately in 15 CFR part 801. The BE-125 survey form and instructions are available at www.bea.gov/ssb.

Reporting

Notice of specific reporting requirements, including who is to report, the information to be reported, the manner of reporting, and the time and place of filing reports, will be mailed to those required to complete this survey.

Who Must Report: (a) Reports are required from each U.S. person who had sales of covered services or intellectual property to foreign persons that exceeded \$6 million during the prior fiscal year, or are expected to exceed that amount during the current fiscal year; or had purchases of covered services or intellectual property from foreign persons that exceeded \$4 million during the prior fiscal year, or are expected to exceed that amount during the current fiscal year. Because the thresholds are applied separately to sales and purchases, the reporting requirements may apply only to sales, only to purchases, or to both.

(b) Entities required to report will be contacted individually by BEA. Entities not contacted by BEA have no reporting responsibilities.

What To Report: The survey collects information on U.S. international trade in selected services and intellectual property.

How To Report: Reports can be filed using BEA's electronic reporting system at www.bea.gov/efile. Copies of the survey forms and instructions, which contain complete information on reporting procedures and definitions, can be downloaded from www.bea.gov/ssb and submitted through mail or fax.

Form BE-125 inquiries can be made by phone to BEA at (301) 278-9303 or by sending an email to be-125help@bea.gov.

When To Report: Reports are due to BEA 45 days after the end of each fiscal quarter, except for the final quarter of the entity's fiscal year when reports must be filed within 90 days.

Paperwork Reduction Act Notice

This data collection has been approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act and assigned control number 0608-0067. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB. Public reporting burden for this collection of information is estimated to average 16 hours per response. Additional information regarding this burden estimate may be viewed at www.reginfo.gov; under the Information Collection Review tab, click on "Search" and use the above OMB control number to search for the current survey instrument. Send comments regarding this burden estimate to Director, Bureau of Economic Analysis (BE-1), U.S. Department of Commerce, 4600 Silver Hill Rd., Washington, DC 20233; and to the Office of Management and Budget, Paperwork Reduction Project 0608-0067, 725 17th Street NW, Washington, DC 20503, or via email at OIRA_Submission@omb.eop.gov.

Authority: 22 U.S.C. 3101-3108.

Brian C. Moyer,

Director, Bureau of Economic Analysis.

[FR Doc. 2018-06900 Filed 4-4-18; 8:45 am]

BILLING CODE 3510-06-P

DEPARTMENT OF DEFENSE

Defense Acquisition University Board of Visitors; Notice of Federal Advisory Committee Meeting

AGENCY: Under Secretary of Defense for Acquisitions and Sustainment, Department of Defense.

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: The Department of Defense (DoD) is publishing this notice to announce that the following Federal Advisory Committee meeting of the Defense Acquisition University Board of Visitors will take place.

DATES: Open to the public Wednesday, May 16, 2018 from 9:00 a.m. to 4:00 p.m.

ADDRESSES: DAU Midwest, 3100 Research Blvd., Kettering, OH 45420.

FOR FURTHER INFORMATION CONTACT: Christen Goulding, (703) 805-5412 (Voice), (703) 805-5909 (Facsimile), christen.goulding@dau.mil (Email). Mailing address is Protocol Director, DAU, 9820 Belvoir Rd, Fort Belvoir, VA 22060. Website: <https://www.dau.mil/about/p/Board-of-Visitors>. The most up-to-date changes to the meeting agenda can be found on the website.

SUPPLEMENTARY INFORMATION: This meeting is being held under the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102-3.140 and 102-3.150.

Purpose of the Meeting: The board will meet to discuss on-going items of interest to the Under Secretary of Defense for Acquisition and Sustainment and of consequence to the Defense Acquisition Workforce. This is the board's first visit to the DAU Midwest campus in Kettering, OH.

Agenda: 9:00 a.m.-10:00 a.m. Executive Session 10:00 a.m.-12:00 p.m. DAU Update 12:00 p.m.-1:00 p.m. Lunch 1:00 p.m.-2:15 p.m. Midwest Spotlight 2:15 p.m.-3:30 p.m. Upcoming Initiatives 3:30 p.m.-4:00 p.m. Summary Discussion.

Meeting Accessibility: Pursuant to 5 U.S.C. 552b and 41 CFR 102-3.140 through 102-3.165, and the availability of space, this meeting is open to the public. However, because of space limitations, allocation of seating will be made on a first-come, first served basis. Persons desiring to attend the meeting should call Ms. Caren Hergenroeder at 703-805-5134.

Written Statements: Pursuant to 41 CFR 102-3.140, and section 10(a)(3) of the Federal Advisory Committee Act of 1972, the public or interested organizations may submit written statements to the Defense Acquisition University Board of Visitors about its mission and functions. Written statements may be submitted at any time or in response to the stated agenda of a planned meeting of the Defense Acquisition University Board of Visitors. All written statements shall be submitted to the Designated Federal Officer for the Defense Acquisition University Board of Visitors, and this individual will ensure that the written statements are provided to the membership for their consideration. Statements being submitted in response to the agenda mentioned in this notice must be received by the Designated Federal Officer at least five calendar

days prior to the meeting which is the subject of this notice. Written statements received after this date may not be provided to or considered by the Defense Acquisition University Board of Visitors until its next meeting. Committee's Designated Federal Officer or Point of Contact: Ms. Christen Goulding, 703-805-5412, christen.goulding@dau.mil.

Dated: April 2, 2018.

Shelly E. Finke,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2018-06983 Filed 4-4-18; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Defense Health Board; Notice of Federal Advisory Committee Meeting

AGENCY: Under Secretary of Defense for Personnel and Readiness, Department of Defense.

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: The Department of Defense (DoD) is publishing this notice to announce that the following Federal Advisory Committee meeting of the Defense Health Board will take place.

DATES: Open to the public Monday, April 23, 2018 from 9:00 a.m. to 12:30 p.m. Open to the public Monday, April 23, 2018 from 1:30 p.m. to 5:00 p.m.

ADDRESSES: The address of the open meeting is the Gatehouse, 8111 Gatehouse Road, Room 345, Falls Church, Virginia 22042 (registration requested; see guidance in **SUPPLEMENTARY INFORMATION**, "Meeting Accessibility.").

FOR FURTHER INFORMATION CONTACT: CAPT Juliann Althoff, Medical Corps, US Navy, (703) 681-6653 (Voice), (703) 681-9539 (Facsimile), juliann.m.althoff@mail.mil (Email). Mailing address is 7700 Arlington Boulevard, Suite 5101, Falls Church, Virginia 22042. Website: <http://www.health.mil/dhb>. The most up-to-date changes to the meeting agenda can be found on the website.

SUPPLEMENTARY INFORMATION: This meeting is being held under the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102-3.140 and 102-3.150.

Availability of Materials for the Meeting: Additional information, including the agenda, is available at the

DHB website, <http://www.health.mil/dhb>.

Purpose of the Meeting: The Department of Defense is publishing this notice to announce a Federal Advisory Committee meeting of the Defense Health Board (DHB). The DHB provides independent advice and recommendations to maximize the safety and quality of, as well as access to, health care for DoD health care beneficiaries. The purpose of the meeting is to receive information briefings on current issues related to military medicine.

Agenda: Pursuant to 5 U.S.C. 552b and 41 CFR 102–3.140 through 102–3.165 and subject to availability of space, the meeting is open to the public from 9:00 a.m. to 12:30 p.m. and 1:30 p.m. to 5:00 p.m. on April 23, 2018. The DHB anticipates receiving briefings on Surgical Readiness in the Military Health System, the Stop the Bleed Campaign, and an update on a new Board tasking, a review on “Low-Volume High-Risk Surgical Procedures”. Any changes to the agenda can be found at the link provided in this **SUPPLEMENTARY INFORMATION** section.

Meeting Accessibility: Pursuant to 5 U.S.C. 552b, and 41 CFR 102–3.140 through 102–3.165 and subject to availability of space, this meeting is open to the public. Seating is limited and is on a first-come basis. All members of the public who wish to attend the public meeting are requested to register by emailing their name, rank/title, and organization/company to dha.ncr.dhb.mbx.defense-health-board@mail.mil or by contacting Ms. Camille Gaviola at (703) 275–6047 or dha.ncr.dhb.mbx.defense-health-board@mail.mil. Registration will also be available at the door on the day of the meeting. Special Accommodations: Individuals requiring special accommodations to access the public meeting should contact Ms. Camille Gaviola at least five (5) business days prior to the meeting so that appropriate arrangements can be made.

Written Statements: Any member of the public wishing to provide comments to the DHB may do so in accordance with section 10(a)(3) of the Federal Advisory Committee Act, 41 CFR 102–3.105(j) and 102–3.140, and the procedures described in this notice. Written statements may be submitted to the DHB Designated Federal Officer (DFO), CAPT Juliann Althoff, at juliann.m.althoff@mail.mil and should be no longer than two type-written pages and include the issue, a short discussion, and a recommended course of action. Supporting documentation may also be included, to

establish the appropriate historical context and to provide any necessary background information. If the written statement is not received at least five (5) business days prior to the meeting, the DFO may choose to postpone consideration of the statement until the next open meeting. The DFO will review all timely submissions with the DHB President and ensure they are provided to members of the DHB before the meeting that is subject to this notice. After reviewing the written comments, the President and the DFO may choose to invite the submitter to orally present their issue during an open portion of this meeting or at a future meeting. The DFO, in consultation with the DHB President, may allot time for members of the public to present their issues for review and discussion by the DHB.

Dated: April 2, 2018.

Shelly E. Finke,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2018–06982 Filed 4–4–18; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

[Docket No. ED–2018–ICCD–0037]

Agency Information Collection Activities; Comment Request; Application for the Educational Flexibility (Ed-Flex) Program

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a new information collection.

DATES: Interested persons are invited to submit comments on or before June 4, 2018.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED–2018–ICCD–0037. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance

Division, U.S. Department of Education, 400 Maryland Avenue SW, LBJ, Room 216–44, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Melissa Siry, 202–260–0926.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public’s reporting burden. It also helps the public understand the Department’s information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Application for the Educational Flexibility (Ed-Flex) Program.

OMB Control Number: 1810–NEW.

Type of Review: A new information collection.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 45.

Total Estimated Number of Annual Burden Hours: 1,800.

Abstract: The Educational Flexibility (Ed-Flex) program is authorized under the Education Flexibility Partnership Act of 1999 and was reauthorized by section 9207 of the Every Student Succeeds Act (ESSA). The Ed-Flex program allows the Secretary to authorize a State educational agency that serves an eligible State to waive statutory or regulatory requirements applicable to one or more of the included programs for any local educational agency, educational service

agency, or school within the State. This information collection includes data reporting requirements that States must follow as part of the process of applying to be designated an Ed-Flex Partnership State.

Dated: April 2, 2018.

Tomakie Washington,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2018-06967 Filed 4-4-18; 8:45 am]

BILLING CODE 4000-01-P

ELECTION ASSISTANCE COMMISSION

Meeting Notice

AGENCY: U.S. Election Assistance Commission.

ACTION: Notice of Rescheduled Public Meeting for EAC Standards Board.

DATES: Thursday, April 19, 2018, 8:30 a.m.–5:00 p.m. and Friday, April 20, 2018, 8:00–11:45 a.m. [Executive Board Sessions: Thursday, April 19, 2018, 8:30 a.m. and 7:30 p.m. (administrative business only)]

ADDRESSES: Hyatt Regency Coral Gables, 50 Alhambra Plaza, Coral Gables, FL 33134, Phone: (305) 441-1234.

FOR FURTHER INFORMATION CONTACT: Bryan Whitener, Telephone: (301) 563-3961.

SUPPLEMENTARY INFORMATION:

Purpose: EAC has rescheduled the Standards Board public meeting originally scheduled for January 25–26, 2018. The meeting was cancelled due to a lapse in federal funding appropriations that resulted in the shutdown of government operations. The cancelled meeting has been rescheduled to take place April 19–20, 2018. In accordance with the Federal Advisory Committee Act (FACA), Public Law 92-463, as amended (5 U.S.C. Appendix 2), the U.S. Election Assistance Commission (EAC) Standards Board will meet to address its responsibilities under the Help America Vote Act of 2002 (HAVA), to present its views on issues in the administration of Federal elections, formulate recommendations to the EAC, and receive updates on EAC activities.

Agenda: The Standards Board will receive an overview and updates on EAC programs and agency operations. The Standards Board will receive updates on EAC Grants. The Standards Board will receive updates on the Voluntary Voting System Guidelines (VVSG) 2.0 and on equipment certification. The Board will consider a resolution(s) on VVSG

recommendations. The Board will hear a panel discussion on Elections & Disaster Recovery.

The Standards Board will conduct committee breakout sessions and hear committee reports. The Executive Board of the Standards Board may appoint Standards Board committee members and chairs, and consider other administrative matters.

Members of the public may submit relevant written statements to the Standards Board with respect to the meeting no later than 5:00 p.m. EDT on Thursday, April 12, 2018. Statements may be sent via email at facaboards@eac.gov, via standard mail addressed to the U.S. Election Assistance Commission, 1335 East West Highway, Suite 4300, Silver Spring, MD 20910, or by fax at 301-734-3108.

This meeting will be open to the public.

Bryan Whitener,

Director, National Clearinghouse on Elections, U.S. Election Assistance Commission.

[FR Doc. 2018-06965 Filed 4-4-18; 8:45 am]

BILLING CODE 6820-KF-P

ELECTION ASSISTANCE COMMISSION

Meeting Notice; EAC Board of Advisors

AGENCY: U.S. Election Assistance Commission.

ACTION: Notice of rescheduled public meeting for EAC Board of Advisors.

Date & Time: Monday, April 23, 2018, 8:30 a.m.–5:00 p.m. and Tuesday, April 24, 2018, 8:15–11:30 a.m.

Place: Hyatt Regency Coral Gables, 50 Alhambra Plaza, Coral Gables, FL 33134, Phone: (305) 441-1234.

Purpose: EAC has rescheduled the Board of Advisors public meeting originally scheduled for January 22–23, 2018. The meeting was cancelled due to a lapse in federal funding appropriations that resulted in the shutdown of government operations. The cancelled meeting has been rescheduled to take place April 23–24, 2018. In accordance with the Federal Advisory Committee Act (FACA), Public Law 92-463, as amended (5 U.S.C. Appendix 2), the U.S. Election Assistance Commission (EAC) Board of Advisors will meet to address its responsibilities under the Help America Vote Act of 2002 (HAVA), to present its views on issues in the administration of Federal elections, formulate recommendations to the EAC, and receive updates on EAC activities.

Agenda: The Board of Advisors will receive an overview and updates on EAC programs and agency operations. The Board of Advisors will receive updates on EAC Grants. The Board will receive updates on the Voluntary Voting System Guidelines (VVSG) 2.0 and on equipment certification. The Board will consider a resolution(s) on VVSG recommendations. The Board will hear a panel discussion on Election Security. The Board will receive a Briefing on Election Day Procedures by the Director of Election Crimes Branch, U.S. Department of Justice.

The Board of Advisors will conduct committee breakout sessions and hear committee reports. The Board of Advisors will elect officers, appoint Board of Advisors committee members and chairs, and consider other administrative matters.

Supplementary: Members of the public may submit relevant written statements to the Board of Advisors with respect to the meeting no later than 5:00 p.m. EDT on Tuesday, April 16, 2018. Statements may be sent via email at facaboards@eac.gov, via standard mail addressed to the U.S. Election Assistance Commission, 1335 East West Highway, Suite 4300, Silver Spring, MD 20910, or by fax at 301-734-3108.

This meeting will be open to the public.

Person To Contact for Information: Bryan Whitener, Telephone: (301) 563-3961.

Bryan Whitener,

Director, National Clearinghouse on Elections, U.S. Election Assistance Commission.

[FR Doc. 2018-06966 Filed 4-4-18; 8:45 am]

BILLING CODE 6820-KF-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER18-1221-000]

NC 102 Project LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of NC 102 Project LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal

Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is April 19, 2018.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the website that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: March 30, 2018.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. 2018-06957 Filed 4-4-18; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC18-78-000.

Applicants: Florida Power & Light Company.

Description: Application for Authorization Under Section 203 of the Federal Power Act and Request for Expedited Action of Florida Power & Light Company.

Filed Date: 3/29/18.

Accession Number: 20180329-5344.

Comments Due: 5 p.m. ET 4/19/18.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG18-71-000.

Applicants: I Squared Capital.

Description: Self-Certification of FC of I Squared Capital.

Filed Date: 3/30/18.

Accession Number: 20180330-5027.

Comments Due: 5 p.m. ET 4/20/18.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10-2739-020; ER14-1219-007; ER16-1732-006; ER17-993-005; ER18-95-002; ER10-2729-007; ER17-989-005; ER10-1854-012; ER17-990-005; ER17-1946-005; ER17-991-005; ER16-1652-008; ER11-3320-012; ER10-2744-013; ER16-2406-006; ER16-2405-006; ER13-2316-010; ER17-992-005; ER10-2678-013; ER10-1631-012; ER14-19-011.

Applicants: LS Power Marketing, LLC, Armstrong Power, LLC, Aurora Generation, LLC, Bath County Energy, LLC, Buchanan Energy Services Company, LLC, Buchanan Generation, LLC, Chambersburg Energy, LLC, Doswell Limited Partnership, Gans Energy, LLC, Helix Ironwood, LLC, Hunlock Energy, LLC, LifeEnergy LLC, LSP University Park, LLC, Riverside Generating Company, L.L.C., Rockford Power, LLC, Rockford Power II, LLC, Seneca Generation, LLC, Springdale Energy, LLC, Troy Energy, LLC, University Park Energy, LLC, West Deptford Energy, LLC.

Description: Notification of Change in Status of the LS PJM MBR Sellers.

Filed Date: 03/29/2018.

Accession Number: 20180329-5347.

Comment Date: 5:00 p.m. ET 4/19/18.

Docket Numbers: ER18-1234-000.

Applicants: Southwestern Electric Power Company.

Description: § 205(d) Rate Filing: Hope PSA to be effective 5/31/2018.

Filed Date: 3/29/18.

Accession Number: 20180329-5287.

Comments Due: 5 p.m. ET 4/19/18.

Docket Numbers: ER18-1235-000.

Applicants: New England Power Pool Participants Committee.

Description: § 205(d) Rate Filing: Apr 2018 Membership Filing to be effective 3/1/2018.

Filed Date: 3/29/18.

Accession Number: 20180329-5301.

Comments Due: 5 p.m. ET 4/19/18.

Docket Numbers: ER18-1236-000.

Applicants: Westar Energy, Inc.

Description: § 205(d) Rate Filing: Request to Recover Costs in Formula Rates, GFR, Attachment D to be effective 6/1/2018.

Filed Date: 3/30/18.

Accession Number: 20180330-5000.

Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18-1237-000.

Applicants: Cleco Power LLC.

Description: § 205(d) Rate Filing: Monthly System Support Resource Payment for Teche Unit No. 3, 2nd Agreement to be effective 4/1/2018.

Filed Date: 3/30/18.

Accession Number: 20180330-5001.

Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18-1238-000.

Applicants: Northern States Power Company, a Minnesota corporation.

Description: Notice of Cancellation of Northern States Power Company, a Minnesota corporation of Rate Schedule No. 497.

Filed Date: 3/29/18.

Accession Number: 20180329-5342.

Comments Due: 5 p.m. ET 4/19/18.

Docket Numbers: ER18-1239-000.

Applicants: Northern States Power Company, a Minnesota corporation.

Description: Notice of Cancellation of Northern States Power Company, a Minnesota corporation of Rate Schedule Nos. 342, 417 and 522.

Filed Date: 3/29/18.

Accession Number: 20180329-5343.

Comments Due: 5 p.m. ET 4/19/18.

Docket Numbers: ER18-1240-000.

Applicants: Public Service Company of New Mexico.

Description: § 205(d) Rate Filing: Annual Real Power Loss Factor Filing for 2018 to be effective 6/1/2018.

Filed Date: 3/30/18.

Accession Number: 20180330-5006.

Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18-1241-000.

Applicants: Midcontinent

Independent System Operator, Inc., MidAmerican Energy Company.

Description: § 205(d) Rate Filing: 2018-03-30_SA 2477 Corn Belt—MidAmerican GFA 477 3rd Rev ETIA to be effective 3/23/2018.

Filed Date: 3/30/18.

Accession Number: 20180330-5042.

Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18-1242-000.

Applicants: Northern Indiana Public Service Company.

Description: § 205(d) Rate Filing: Northern Indiana Public Service Company LLC Reactive Power Rate Filing to be effective 6/1/2018.

Filed Date: 3/30/18.
Accession Number: 20180330–5081.
Comments Due: 5 p.m. ET 4/20/18.
Docket Numbers: ER18–1243–000.
Applicants: PacifiCorp.
Description: § 205(d) Rate Filing: OATT Revised Attachment H–1 (Rev Depreciation Rates 2018) to be effective 6/1/2018.

Filed Date: 3/30/18.
Accession Number: 20180330–5118.
Comments Due: 5 p.m. ET 4/20/18.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: March 30, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–06956 Filed 4–4–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER18–1244–000.
Applicants: Emera Maine.
Description: § 205(d) Rate Filing: MPD OATT Revisions to be effective 6/1/2018.

Filed Date: 3/30/18.
Accession Number: 20180330–5120.
Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18–1245–000.
Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Revisions to OATT and OA RE: FTR Market Surplus Allocation to be effective 6/1/2018.

Filed Date: 3/30/18.

Accession Number: 20180330–5148.

Comments Due: 5 p.m. ET 4/20/18.
Docket Numbers: ER18–1246–000.
Applicants: Pacific Gas and Electric Company.

Description: § 205(d) Rate Filing: E&P Agreement for Capetown Wind Farm to be effective 4/2/2018.

Filed Date: 3/30/18.
Accession Number: 20180330–5151.
Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18–1247–000.
Applicants: Entergy Louisiana, LLC, Entergy Mississippi, Inc., Entergy New Orleans, LLC, Entergy Texas, Inc., Entergy Arkansas, Inc.

Description: § 205(d) Rate Filing: EAI et al Unit Power Sales and Designated Power Purchase Tariff Amendment to be effective 6/1/2018.

Filed Date: 3/30/18.
Accession Number: 20180330–5152.
Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18–1248–000.
Applicants: Southern California Edison Company

Description: § 205(d) Rate Filing: SCE Revised WDAT—Energy Storage to be effective 5/30/2018.

Filed Date: 3/30/18.
Accession Number: 20180330–5154.
Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18–1249–000.
Applicants: Puget Sound Energy, Inc.
Description: § 205(d) Rate Filing:

Depreciation Rate Amendment to be effective 12/19/2017.

Filed Date: 3/30/18.
Accession Number: 20180330–5155.
Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18–1250–000.
Applicants: Alliant Energy Corporate Services, Inc.

Description: § 205(d) Rate Filing: AECS Updated Rate Schedule 2 to be effective 6/1/2018.

Filed Date: 3/30/18.
Accession Number: 20180330–5157.
Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18–1251–000.
Applicants: Kansas City Power & Light Company, KCP&L Greater Missouri Operations Company.

Description: Expedited Petition of Kansas City Power & Light Company, et al. for Waiver of Tariff Provision.

Filed Date: 3/30/18.
Accession Number: 20180330–5159.
Comments Due: 5 p.m. ET 4/9/18.

Docket Numbers: ER18–1252–000.
Applicants: Pacific Gas and Electric Company.

Description: § 205(d) Rate Filing: Sierra Pacific Power Company Replacement IA and TFA (SA 367) to be effective 4/1/2018.

Filed Date: 3/30/18.

Accession Number: 20180330–5162.

Comments Due: 5 p.m. ET 4/20/18.
Docket Numbers: ER18–1253–000.
Applicants: Arizona Public Service Company.

Description: § 205(d) Rate Filing: Service Agreement No. 219 Amendment 3—Saddlebrooke Ranch Interconnection to be effective 3/1/2018.

Filed Date: 3/30/18.
Accession Number: 20180330–5202.
Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18–1254–000.
Applicants: PacifiCorp.

Description: 205(d) Rate Filing: RS 560 City of Hurricane Requirements Contract Rev 1 to be effective 6/1/2018.

Filed Date: 3/30/18.
Accession Number: 20180330–5203.
Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18–1255–000.
Applicants: Southwestern Electric Power Company.

Description: § 205(d) Rate Filing: Bentonville PSA to be effective 1/1/2018.

Filed Date: 3/30/18.
Accession Number: 20180330–5212.
Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18–1256–000.
Applicants: Public Service Company of New Mexico.

Description: Formula Rate Post-employment Benefits Other than Pensions filing of Public Service Company of New Mexico.

Filed Date: 3/30/18.
Accession Number: 20180330–5213.
Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18–1257–000.
Applicants: Pacific Gas and Electric Company.

Description: Notice of Termination of Pacific Gas and Electric Company Interconnection Agreement Rate Schedule No. 241.

Filed Date: 3/30/18.
Accession Number: 20180330–5220.
Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18–1258–000.
Applicants: Entergy Louisiana, LLC.

Description: § 205(d) Rate Filing: ELL–SRMPA 14th Extension of Interim Agreement to be effective 4/1/2018.

Filed Date: 3/30/18.
Accession Number: 20180330–5221.
Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18–1259–000.
Applicants: Vermont Transco, LLC.
Description: Request to Recover Costs of Vermont Transco, LLC.

Filed Date: 3/30/18.
Accession Number: 20180330–5222.
Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18–1260–000.
Applicants: Midcontinent Independent System Operator, Inc., Entergy Services, Inc.

Description: § 205(d) Rate Filing: 2018-03-30 Entergy Att O Revisions Re Tax Rate Change to be effective 6/1/2018.

Filed Date: 3/30/18.

Accession Number: 20180330-5223.

Comments Due: 5 p.m. ET 4/20/18.

Docket Numbers: ER18-1261-000.

Applicants: New York Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 205 filing re: Price Correction Deadlines to be effective 5/30/2018.

Filed Date: 3/30/18.

Accession Number: 20180330-5257.

Comments Due: 5 p.m. ET 4/20/18.

Take notice that the Commission received the following foreign utility company status filings:

Docket Numbers: FC18-4-000.

Applicants: I Squared Capital.

Description: Self-Certification of FC of I Squared Capital.

Filed Date: 3/30/18.

Accession Number: 20180330-5027.

Comments Due: 5 p.m. ET 4/20/18.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: March 30, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018-06958 Filed 4-4-18; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD10-12-009]

Increasing Market and Planning Efficiency and Enhancing Resilience Through Improved Software; Notice of Technical Conference: Increasing Real-Time and Day-Ahead Market Efficiency and Enhancing Resilience Through Improved Software

Take notice that Commission staff will convene a technical conference on June 26, 27, and 28, 2018 to discuss opportunities for increasing real-time and day-ahead market efficiency and enhancing the resilience of the bulk power system through improved software. A detailed agenda with the list of and times for the selected speakers will be published on the Commission's website¹ after May 11, 2018.

Staff has held eight similar conferences in this proceeding, all focused on enhancing market efficiency. The Commission has recently initiated a proceeding in Docket No. AD18-7 to explore bulk power system resilience issues and intends to expand the scope of the 2018 conference to include opportunities for enhancing resilience through improved software. As in past conferences, this conference will bring together experts from diverse backgrounds and experiences, including electric system operators, software developers, government, research centers and academia for the purposes of stimulating discussion, sharing information, and identifying fruitful avenues for research concerning the technical aspects of improved software for increasing efficiency and resilience.

This conference is intended to build on the discussions initiated in the previous Commission staff technical conferences on increasing market and planning efficiency through improved software. A number of the topics that have been discussed during previous conferences have relevance to resilience in addition to market efficiency. Staff will be facilitating a discussion to explore research and operational advances with respect to market modeling that appear to have significant promise for potential efficiency improvements. Given the priority the Commission places on resilience, presentations that also discuss research and operational advances that could enhance resilience of the bulk power

system are encouraged. Broadly, such topics fall into the following categories:

(1) Improvements to the representation of physical constraints that are either not currently modeled or currently modeled using mathematical approximations (e.g., voltage and reactive power constraints, stability constraints, and constraints related to contingencies);

(2) Consideration of uncertainty to better maximize expected market surplus (e.g., stochastic modeling, or other improved modeling approaches to energy and reserve dispatch that efficiently manage uncertainty);

(3) Improvements to the ability to identify and use flexibility in the existing systems (e.g., optimal transmission switching, active or dynamic transmission ratings, transmission constraint relaxation practices, and ramping management);

(4) Improvements to the duality interpretations of the economic dispatch model, with the goal of enabling the calculation of prices which represent better equilibrium and incentives for efficient entry and exit;

(5) Limitations of current electricity market software due to its interaction with hardware; and

(6) Other improvements in algorithms, model formulations, or hardware that may allow for increases in market efficiency and enhanced resilience.

Within these or related subject areas, we encourage presentations that discuss best modeling practices, existing modeling practices that need improvement, any advances made since last year's conference, or related perspectives on increasing market efficiency and resilience through improved power systems modeling.

The technical conference will be held at the Federal Energy Regulatory Commission headquarters, 888 First Street NE, Washington, DC 20426. All interested participants are invited to attend, and participants with ideas for relevant presentations are invited to nominate themselves to speak at the conference.

Speaker nominations must be submitted on or before April 20, 2018 through the Commission's website² by providing the proposed speaker's contact information along with a title, abstract, and list of contributing authors for the proposed presentation. Proposed presentations should be related to the topics discussed above. Speakers and presentations will be selected to ensure

¹ <http://www.ferc.gov/industries/electric/industryact/market-planning.asp>.

² The speaker nomination form is located at <https://www.ferc.gov/whats-new/registration/real-market-6-26-18-speaker-form.asp>.

relevant topics and to accommodate time constraints.

Although registration is not required for general attendance by United States citizens, we encourage those planning to attend the conference to register through the Commission's website.³ We will provide nametags for those who register on or before June 15, 2018.

We strongly encourage attendees who are not citizens of the United States to register for the conference by June 1, 2018, in order to avoid any delay associated with being processed by FERC security.

The Commission will accept comments following the conference, with a deadline of July 31, 2018.

There is an eSubscription link on the Commission's website that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

A WebEx will be available. Off-site participants interested in listening via teleconference or listening and viewing the presentations through WebEx must register at <https://www.ferc.gov/whats-new/registration/real-market-6-26-18-form.asp>, and do so by 5:00 p.m. EST on June 15, 2018. WebEx and teleconferencing may not be available to those who do not register.

FERC conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an email to accessibility@ferc.gov or call toll free (866) 208-3372 (voice) or (202) 502-8659 (TTY), or send a fax to (202) 208-2106 with the required accommodations.

For further information about these conferences, please contact:

Sarah McKinley (Logistical Information), Office of External Affairs, (202) 502-8004, Sarah.McKinley@ferc.gov.

Daniel Kheloussi (Technical Information), Office of Energy Policy and Innovation, (202) 502-6391, Daniel.Kheloussi@ferc.gov.

Dated: March 30, 2018.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. 2018-06955 Filed 4-4-18; 8:45 am]

BILLING CODE 6717-01-P

³ The registration form is located at <https://www.ferc.gov/whats-new/registration/real-market-6-26-18-form.asp>.

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9976-19-Region 8]

Public Water System Supervision Program Revision for the State of Montana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Public notice is hereby given that the state of Montana has revised its Public Water System Supervision (PWSS) Program by adopting federal regulations for the Revised Total Coliform Rule (RTCR) that correspond to the National Primary Drinking Water Regulations (NPDWR). The EPA has reviewed Montana's regulations and determined they are no less stringent than the federal regulations. The EPA is proposing to approve Montana's primacy revision for the RTCR.

This approval action does not extend to public water systems in Indian country. Please see Supplementary Information, Item B.

DATES: Any member of the public is invited to request a public hearing on this determination by May 7, 2018. Please see **SUPPLEMENTARY INFORMATION**, Item C, for details. Should no timely and appropriate request for a hearing be received, and the Regional Administrator (RA) does not elect to hold a hearing on his/her own motion, this determination shall become applicable May 7, 2018. If a public hearing is requested and granted, then this determination shall not become applicable until such time following the hearing as the RA issues an order affirming or rescinding this action.

ADDRESSES: Requests for a public hearing should be addressed to: Robert Clement, Drinking Water Unit B (8WP-SDB), EPA, Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129.

All documents relating to this determination are available for inspection at: EPA, Region 8, Drinking Water Unit (7th Floor), 1595 Wynkoop Street, Denver, Colorado.

FOR FURTHER INFORMATION CONTACT: Robert Clement, Drinking Water Unit B (8WP-SDB), EPA, Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129, phone 303-312-6653.

SUPPLEMENTARY INFORMATION: In accordance with the provisions of section 1413 of the Safe Drinking Water Act (SDWA), 42 U.S.C. 300g-2, and 40 CFR 142.13, public notice is hereby given that the state of Montana has revised its PWSS program by adopting federal regulations for the RTCR that

correspond to the NPDWR in 40 CFR parts 141 and 142. The EPA has reviewed Montana's regulations and determined they are no less stringent than the federal regulations. The EPA is proposing to approve Montana's primacy revision for the RTCR.

This approval action does not extend to public water systems in Indian country as defined in 18 U.S.C. 1151. Please see **SUPPLEMENTARY INFORMATION**, Item B.

A. Why are revisions to State programs necessary?

States with primary PWSS enforcement authority must comply with the requirements of 40 CFR part 142 to maintain primacy. They must adopt regulations that are at least as stringent as the NPDWRs at 40 CFR parts 141 and 142, as well as adopt all new and revised NPDWRs in order to retain primacy (40 CFR 142.12(a)).

B. How does this action affect Indian country (18 U.S.C. 1151) in Montana?

EPA's approval of the drinking water standards Montana submitted extends to public water systems in Montana with the exception of those public water systems that are within Indian country, as defined in 18 U.S.C. 1151. Indian country lands within the exterior boundaries of the following Indian reservations located within Montana: The Blackfeet, Crow, Flathead, Fort Belknap, Fort Peck, Northern Cheyenne and Rocky Boys Indian Reservations; any land held in trust by the United States for an Indian tribe; and any other areas which are "Indian country" within the meaning of 18 U.S.C. 1151. EPA or eligible Indian tribes, as appropriate, will retain PWSS program responsibilities over public water systems in Indian country.

C. Requesting a Hearing

Any member of the public may request a hearing on this determination within thirty (30) days of this notice. All requests shall include the following information: Name, address, and telephone number of the individual, organization, or other entity requesting a hearing; a brief statement of interest and information to be submitted at the hearing; and a signature of the interested individual or responsible official, if made on behalf of an organization or other entity. Frivolous or insubstantial requests for a hearing may be denied by the RA.

Notice of any hearing shall be given not less than fifteen (15) days prior to the time scheduled for the hearing and will be made by the RA in the **Federal Register** and in a newspaper of general

circulation in the state. A notice will also be sent to both the person(s) requesting the hearing and the state. The hearing notice will include a statement of purpose of the hearing, information regarding time and location for the hearing, and the address and telephone number where interested persons may obtain further information. The RA will issue an order affirming or rescinding the determination upon review of the hearing record.

Please bring this notice to the attention of any persons known by you to have an interest in this determination.

Dated: March 8, 2018.

Douglas H. Benevento,

Regional Administrator, Region 8.

[FR Doc. 2018-06758 Filed 4-4-18; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9976-38-ORD]

Human Studies Review Board; Notification of Public Meetings

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA), Office of the Science Advisor announces two separate public meetings of the Human Studies Review Board (HSRB) to advise the Agency on the ethical and scientific review of research involving human subjects.

DATES: A virtual public meeting will be held on Tuesday, April 24, 2018, Wednesday, April 25, 2018, and Thursday, April 26, 2018 from 1:00 p.m. to approximately 5:30 p.m. Eastern Time on all dates. A separate, subsequent teleconference meeting is planned for Thursday, June 14, 2018, from 2:00 p.m. to approximately 3:30 p.m. Eastern Time for the HSRB to finalize its Final Report of the April 24–26, 2018 meeting and review other possible topics.

ADDRESSES: All of these meetings will be conducted entirely by telephone and on the internet using Adobe Connect. For detailed access information visit the HSRB website: <http://www2.epa.gov/osa/human-studies-review-board>.

FOR FURTHER INFORMATION CONTACT: Any member of the public who wishes to receive further information should contact the HSRB Designated Federal Official (DFO), Thomas O'Farrell on telephone number (202) 564-8451; fax number: (202) 564-2070; email address: ofarrell.thomas@epa.gov; or mailing

address: Environmental Protection Agency, Office of the Science Advisor, Mail code 8105R, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

SUPPLEMENTARY INFORMATION:

Meeting access: These meetings will be open to the public. The full Agenda and meeting materials will be available at the HSRB website: <http://www2.epa.gov/osa/human-studies-review-board>. For questions on document availability, or if you do not have access to the internet, consult with the DFO, Thomas O'Farrell, listed under **FOR FURTHER INFORMATION, CONTACT.**

Special accommodations. For information on access or services for individuals with disabilities, or to request accommodation of a disability, please contact the DFO listed under **FOR FURTHER INFORMATION, CONTACT** at least 10 days prior to the meeting to give EPA as much time as possible to process your request.

How may I participate in this meeting?

The HSRB encourages the public's input. You may participate in these meetings by following the instructions in this section.

1. **Oral comments.** To pre-register to make oral comments, please contact the DFO, Thomas O'Farrell, listed under **FOR FURTHER INFORMATION, CONTACT.** Requests to present oral comments during either meeting will be accepted up to Noon Eastern Time on Tuesday, April 17, 2018, for the April 24–26, 2018 meeting and up to Noon Eastern Time on Thursday, June 7, 2018 for the June 14, 2018 meeting. To the extent that time permits, interested persons who have not pre-registered may be permitted by the HSRB Chair to present oral comments during either meeting at the designated time on the agenda. Oral comments before the HSRB are generally limited to five minutes per individual or organization. If additional time is available, further public comments may be possible.

2. **Written comments.** Submit your written comments prior to the meetings. For the Board to have the best opportunity to review and consider your comments as it deliberates, you should submit your comments by Noon Eastern Time on Tuesday, April 17, 2018, for the April 24–26, 2018 meeting and up to Noon Eastern Time on Thursday, June 7, 2018 for the June 14, 2018 meeting. If you submit comments after these dates, those comments will be provided to the HSRB members, but you should recognize that the HSRB members may not have adequate time to consider your comments prior to their discussion. You should submit your comments to the DFO, Thomas O'Farrell

listed under **FOR FURTHER INFORMATION, CONTACT.** There is no limit on the length of written comments for consideration by the HSRB.

Background

The HSRB is a Federal advisory committee operating in accordance with the Federal Advisory Committee Act 5 U.S.C. App.2 § 9. The HSRB provides advice, information, and recommendations on issues related to scientific and ethical aspects of third-party human subjects research that are submitted to the Office of Pesticide Programs (OPP) to be used for regulatory purposes.

Topic for discussion. On April 24–26, 2018, EPA's Human Studies Review Board will consider four topics: (1) A protocol for laboratory-based testing of a tick repellent containing Oil of Lemon Eucalyptus, submitted by ARCTEC (Arthropod Control Product Centre) and by sponsored by Citrefine International, (2) a published article titled "Assessing key safety concerns of a *Wolbachia*-based strategy to control dengue transmission by *Aedes* mosquitoes", authored by Jean Popovici, Luciano A Moriera, Anne Poinsignon, Inaki Iturbe-Ormaetxe, Darlene McNaughton, and Scott O'Neill, (3) a completed study submitted by the Antimicrobial Exposure Assessment Task Force: "Determination of Removal Efficiency of 1,2-Benzisothiazol-3(2H)-one (BIT) from Hand Surfaces Using an Isopropyl Alcohol/Water Wipe and Wash Procedure", and (4) a completed study submitted by the Antimicrobial Exposure Assessment Task Force: "A Study for Measurement of Potential Dermal and Inhalation Exposure During Application of a Latex Paint Containing an Antimicrobial Pesticide Product Using a Brush and Roller for Indoor Surface Painting".

The Agenda and meeting materials for these topics will be available in advance of the meeting at <http://www2.epa.gov/osa/human-studies-review-board>.

On June 14, 2018, the HSRB will review and finalize their draft Final Report from the April 24–26, 2018 meeting, in addition to other topics that may come before the Board. The HSRB may also discuss planning for future HSRB meetings. The agenda and the draft report will be available prior to the meeting at <http://www2.epa.gov/osa/human-studies-review-board>.

Meeting minutes and final reports. Minutes of these meetings, summarizing the matters discussed and recommendations made by the HSRB, will be released within 90 calendar days of the meeting. These minutes will be available at <http://www2.epa.gov/osa/>

human-studies-review-board. In addition, information regarding the HSRB's Final Report, will be found at <http://www2.epa.gov/osa/human-studies-review-board> or from Thomas O'Farrell listed under **FOR FURTHER INFORMATION, CONTACT**.

Dated: March 26, 2018.

Jennifer Orme-Zavaleta,

EPA Science Advisor.

[FR Doc. 2018-06990 Filed 4-4-18; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-R05-OAR-2017-0579; FRL-9976-12-Region 5]

Adequacy Status of the Sheboygan County, Wisconsin Area for the Submitted 2008 Ozone Standard Attainment Demonstration for Transportation Conformity Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of finding of adequacy.

SUMMARY: In this notice, the EPA is notifying the public that we find the motor vehicle emissions budgets (MVEBs) for volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) in the Sheboygan County, Wisconsin 2008 Ozone Standard nonattainment area adequate for use in transportation conformity determinations. On September 25, 2017, Wisconsin submitted a 2008 Ozone Standard Attainment Demonstration for Sheboygan County, which included the MVEBs for 2017 and 2018. As a result of our finding, this area must use these MVEBs from the submitted Attainment Demonstration for future transportation conformity determinations.

DATES: This finding is applicable April 20, 2018.

FOR FURTHER INFORMATION CONTACT: Michael Leslie, Environmental Engineer, Control Strategies Section (AR-18J), Air Programs Branch, Air and Radiation Division, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-6680, leslie.michael@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, whenever "we", "us" or "our" is used, we mean EPA.

Background

This notice is an announcement of a finding that we have already made. On January 17, 2018, EPA sent a letter to the Wisconsin Department of Natural

Resources stating that the 2017 and 2018 MVEBs contained in the Attainment Demonstration for the 2008 Ozone Standard for Sheboygan County are adequate for transportation conformity purposes. Receipt of these MVEBs was announced on EPA's transportation conformity website, and no comments were submitted. The finding is available at EPA's conformity website: <https://www.epa.gov/state-and-local-transportation/adequacy-review-state-implementation-plan-sip-submissions-conformity>.

The 2017 and 2018 MVEBs, in tons per day (tpd), for VOCs and NO_x for the Sheboygan County, Wisconsin area are as follows:

Sheboygan County	NO _x (tpd)	VOCs (tpd)
2017	1.62	3.29
2018	1.49	2.96

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA's conformity rule requires that transportation plans, programs, and projects conform to state air quality implementation plans and establishes the criteria and procedures for determining whether or not they do conform. Conformity to a State Implementation Plan (SIP) means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's MVEBs are adequate for transportation conformity purposes are outlined in 40 CFR 93.118(e)(4). Please note that an adequacy review is separate from EPA's completeness review, and is also a separate action from EPA's evaluation of and decision whether to approve a proposed SIP revision.

Authority: 42 U.S.C. 7401-7671 q.

Dated: March 20, 2018.

Edward H. Chu,

Acting Regional Administrator, Region 5.

[FR Doc. 2018-06793 Filed 4-4-18; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[9976-15-Region 1]

Proposed CERCLA Administrative Cost Recovery Settlement; Gould Electronics Inc., New Hampshire Dioxane Site, Atkinson/Hampstead, New Hampshire

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement; request for public comments.

SUMMARY: In accordance with section 122(i) of the Comprehensive Environmental Response Compensation, and Liability Act, as amended ("CERCLA"), notice is hereby given of a proposed administrative Settlement Agreement for recovery of Past Response Costs, as defined in the Settlement Agreement, under CERCLA section 122(h) of CERCLA, concerning the New Hampshire Dioxane Site, located in Atkinson and Hampstead, New Hampshire with Gould Electronics Inc. The settlement requires Gould Electronics Inc. to pay \$1,900,000, plus interest on that amount calculated from March 28, 2016 through the date of payment, to the Hazardous Substance Superfund.

DATES: Comments must be submitted by May 7, 2018.

ADDRESSES: Comments should be addressed to John Hultgren, Enforcement Counsel, U.S. Environmental Protection Agency, 5 Post Office Square, Suite 100 (OES04-2), Boston, MA 02109-3912 and should refer to: *In re: New Hampshire Dioxane Site*, EPA Region 1 CERCLA Docket No. 01-2018-0013.

FOR FURTHER INFORMATION CONTACT: A copy of the proposed Settlement Agreement may be obtained from John Hultgren, Enforcement Counsel, U.S. Environmental Protection Agency, 5 Post Office Square, Suite 100 (OES04-2), Boston, MA 02109-3912; (617) 918-1761; hultgren.john@epa.gov.

SUPPLEMENTARY INFORMATION: For 30 days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The United States will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at 5 Post Office Square, Boston, MA 02109-3912.

The proposed Settlement Agreement includes a covenant from EPA not to sue or take administrative action against Gould Electronics Inc. pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a), to recover Past Response Costs, and protection for Gould Electronics, Inc. from contribution actions or claims as provided by sections 113(f)(2) and 122(h)(4) of CERCLA, 42 U.S.C. Section 9613(f)(2) and 9622(h)(4). The settlement has been approved by the

Environmental and Natural Resources
Division of the United States
Department of Justice.

Dated: March 2, 2018.

Nancy Barmakian,

*Acting Director, Office of Site Remediation
and Restoration.*

[FR Doc. 2018-06779 Filed 4-4-18; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-9976-33-OA]

Notification of a Public Teleconference of the Chartered Clean Air Scientific Advisory Committee (CASAC) and the CASAC Sulfur Oxides Panel

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office announces a public teleconference of the Chartered Clean Air Scientific Advisory Committee (CASAC) and CASAC Sulfur Oxides Panel to discuss the CASAC draft reviews of the EPA's *Risk and Exposure Assessment for the Review of the Primary National Ambient Air Quality Standard for Sulfur Dioxide (External Review Draft)* and *Policy Assessment for the Review of the Primary National Ambient Air Quality Standard for Sulfur Dioxide (External Review Draft)*.

DATES: The teleconference will be held on Friday, April 20, 2018, from 9:00 a.m. to 12:00 p.m. (Eastern Time).

LOCATION: The public teleconference will be held by telephone only.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing to obtain information concerning the public meeting may contact Mr. Aaron Yeow, Designated Federal Officer (DFO), EPA Science Advisory Board Staff Office (1400R), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; by telephone at (202) 564-2050 or at yeow.aaron@epa.gov. General information about the CASAC, as well as any updates concerning the meetings announced in this notice, may be found on the CASAC web page at <http://www.epa.gov/casac>.

SUPPLEMENTARY INFORMATION: The CASAC was established pursuant to the Clean Air Act (CAA) Amendments of 1977, codified at 42 U.S.C. 7409(d)(2), to review air quality criteria and National Ambient Air Quality Standards

(NAAQS) and recommend any new NAAQS and revisions of existing criteria and NAAQS as may be appropriate. The CASAC is a Federal Advisory Committee chartered under the Federal Advisory Committee Act (FACA), 5 U.S.C., App. 2. Section 109(d)(1) of the CAA requires that the Agency periodically review and revise, as appropriate, the air quality criteria and the NAAQS for the six "criteria" air pollutants, including sulfur oxides. EPA is currently reviewing the primary (health-based) NAAQS for sulfur dioxide (SO₂), as an indicator for health effects caused by the presence of sulfur oxides in the ambient air.

Pursuant to FACA and EPA policy, notice is hereby given that the Chartered CASAC and the CASAC Sulfur Oxides Panel will hold a public teleconference to discuss the draft CASAC reviews of the EPA's *Risk and Exposure Assessment for the Review of the Primary National Ambient Air Quality Standard for Sulfur Dioxide (External Review Draft)* and *Policy Assessment for the Review of the Primary National Ambient Air Quality Standard for Sulfur Dioxide (External Review Draft)*. The CASAC Sulfur Oxides Panel and CASAC will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

Technical Contacts: Any technical questions concerning the *Risk and Exposure Assessment for the Review of the Primary National Ambient Air Quality Standard for Sulfur Dioxide (External Review Draft)* and *Policy Assessment for the Review of the Primary National Ambient Air Quality Standard for Sulfur Dioxide (External Review Draft)* should be directed to Dr. Nicole Hagan (hagan.nicole@epa.gov), EPA Office of Air and Radiation.

Availability of Meeting Materials: Prior to the meeting, the review documents, agenda and other materials will be available on the CASAC web page at <http://www.epa.gov/casac/>.

Procedures for Providing Public Input: Public comment for consideration by EPA's federal advisory committees and panels has a different purpose from public comment provided to EPA program offices. Therefore, the process for submitting comments to a federal advisory committee is different from the process used to submit comments to an EPA program office.

Federal advisory committees and panels, including scientific advisory committees, provide independent advice to EPA. Members of the public can submit relevant comments on the topic of this advisory activity, including the charge to the panel and the EPA

review documents, and/or the group conducting the activity, for the CASAC to consider as it develops advice for EPA. Input from the public to the CASAC will have the most impact if it provides specific scientific or technical information or analysis for CASAC panels to consider, or if it relates to the clarity or accuracy of the technical information. Members of the public wishing to provide comment should follow the instructions below to submit comments.

Oral Statements: In general, individuals or groups requesting an oral presentation on a public teleconference will be limited to three minutes. Each person making an oral statement should consider providing written comments as well as their oral statement so that the points presented orally can be expanded upon in writing. Interested parties should contact Mr. Aaron Yeow, DFO, in writing (preferably via email) at the contact information noted above by April 13, 2018, to be placed on the list of public speakers.

Written Statements: Written statements will be accepted throughout the advisory process; however, for timely consideration by CASAC members, statements should be supplied to the DFO (preferably via email) at the contact information noted above by April 13, 2018. It is the SAB Staff Office general policy to post written comments on the web page for the advisory meeting or teleconference. Submitters are requested to provide an unsigned version of each document because the SAB Staff Office does not publish documents with signatures on its websites. Members of the public should be aware that their personal contact information, if included in any written comments, may be posted to the CASAC website. Copyrighted material will not be posted without explicit permission of the copyright holder.

Accessibility: For information on access or services for individuals with disabilities, please contact Mr. Aaron Yeow at (202) 564-2050 or yeow.aaron@epa.gov. To request accommodation of a disability, please contact Mr. Yeow preferably at least ten days prior to each meeting to give EPA as much time as possible to process your request.

Dated: March 26, 2018.

Khanna Johnston,

*Deputy Director, EPA Science Advisory Board
Staff Office.*

[FR Doc. 2018-06992 Filed 4-4-18; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[GN Docket No. 17–83]

Meeting of the Broadband Deployment Advisory Committee**AGENCY:** Federal Communications Commission.**ACTION:** Notice.**SUMMARY:** In this document, the Commission announces and provides an agenda for the next meeting of Broadband Deployment Advisory Committee (BDAC).**DATES:** Wednesday, April 25, 2018. The meeting will come to order at 9:00 a.m.**ADDRESSES:** Federal Communications Commission, 445 12th Street SW, Room TW–C305, Washington, DC 20554.**FOR FURTHER INFORMATION CONTACT:**Brian Hurley, Designated Federal Officer (DFO), at (202) 418–2220 or brian.hurley@fcc.gov; or Paul D’Ari, Deputy DFO, at (202) 418–1550 or paul.dari@fcc.gov. The TTY number is: (202) 418–0484.**SUPPLEMENTARY INFORMATION:** This meeting is open to members of the general public. The FCC will accommodate as many participants as possible; however, admittance will be limited to seating availability. The Commission will also provide audio and/or video coverage of the meeting over the internet from the FCC’s web page at www.fcc.gov/live. Oral statements at the meeting by parties or entities not represented on the BDAC will be permitted to the extent time permits, at the discretion of the BDAC Chair and the DFO. Members of the public may submit comments to the BDAC in the FCC’s Electronic Comment Filing System, ECFS, at www.fcc.gov/ecfs. Comments to the BDAC should be filed in Docket 17–83.Open captioning will be provided for this event. Other reasonable accommodations for people with disabilities are available upon request. Requests for such accommodations should be submitted via email to fcc504@fcc.gov or by calling the Consumer & Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY). Such requests should include a detailed description of the accommodation needed. In addition, please include a way for the FCC to contact the requester if more information is needed to fill the request. Please allow at least five days’ advance notice; last minute requests will be accepted but may not be possible to accommodate.*Proposed Agenda:* At this meeting, the BDAC will consider reports and recommendations from its working groups, including the Model Code for Municipalities working group and the Model Code for States working group. In addition, the BDAC will continue its discussions on how to accelerate the deployment of broadband by reducing and/or removing regulatory barriers to infrastructure investment.

This agenda may be modified at the discretion of the BDAC Chair and the DFO.

Federal Communications Commission.

Daniel Kahn,*Chief, Competition Policy Division, Wireline Competition Bureau.*

[FR Doc. 2018–06943 Filed 4–4–18; 8:45 am]

BILLING CODE 6712–01–P**FEDERAL ELECTION COMMISSION****Sunshine Act Meeting****TIME AND DATE:** Tuesday, April 10, 2018 at 10:00 a.m.**PLACE:** 999 E Street NW, Washington, DC**STATUS:** This meeting will be closed to the public.**MATTERS TO BE CONSIDERED:** Compliance matters pursuant to 52 U.S.C. 30109.

Information the premature disclosure of which would be likely to have a considerable adverse effect on the implementation of a proposed Commission action.

Matters concerning participation in civil actions or proceedings or arbitration.

* * * * *

CONTACT PERSON FOR MORE INFORMATION: Judith Ingram, Press Officer, Telephone: (202) 694–1220.**Laura E. Sinram,***Deputy Secretary of the Commission.*

[FR Doc. 2018–07103 Filed 4–3–18; 4:15 pm]

BILLING CODE 6715–01–P**FEDERAL RESERVE SYSTEM****Proposed Agency Information Collection Activities; Comment Request****AGENCY:** Board of Governors of the Federal Reserve System.**ACTION:** Notice, request for comment.**SUMMARY:** The Board of Governors of the Federal Reserve System (Board) invites comment on a proposal to extend for three years, with revision, the Recordkeeping and Disclosure

Requirements Associated with Consumer Financial Protection Bureau’s (CFPB) Regulation M (Consumer Leasing) (FR M; OMB No. 7100–0202).

DATES: Comments must be submitted on or before June 4, 2018.**ADDRESSES:** You may submit comments, identified by *FR M*, by any of the following methods:

- *Agency website:* <http://www.federalreserve.gov>. Follow the instructions for submitting comments at <http://www.federalreserve.gov/apps/foia/proposedregs.aspx>.

- *Email:* regs.comments@federalreserve.gov. Include OMB number in the subject line of the message.

- *Fax:* (202) 452–3819 or (202) 452–3102.

- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

All public comments are available from the Board’s website at <http://www.federalreserve.gov/apps/foia/proposedregs.aspx> as submitted, unless modified for technical reasons.

Accordingly, your comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper form in Room 3515, 1801 K Street (between 18th and 19th Streets NW) Washington, DC 20006 between 9:00 a.m. and 5:00 p.m. on weekdays. For security reasons, the Board requires that visitors make an appointment to inspect comments. You may do so by calling (202) 452–3684. Upon arrival, visitors will be required to present valid government-issued photo identification and to submit to security screening in order to inspect and photocopy comments.

Additionally, commenters may send a copy of their comments to the OMB Desk Officer—Shagufta Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: A copy of the PRA OMB submission, including the proposed reporting form and instructions, supporting statement, and other documentation will be placed into OMB’s public docket files, once approved. These documents will also be made available on the Federal Reserve Board’s public website at <http://www.federalreserve.gov/apps/reportforms/review.aspx> or may be requested from the agency clearance officer, whose name appears below.

Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, Washington, DC 20551 (202) 452-3829. Telecommunications Device for the Deaf (TDD) users may contact (202) 263-4869, Board of Governors of the Federal Reserve System, Washington, DC, 20551.

SUPPLEMENTARY INFORMATION: On June 15, 1984, the Office of Management and Budget (OMB) delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve of and assign OMB control numbers to collection of information requests and requirements conducted or sponsored by the Board. In exercising this delegated authority, the Board is directed to take every reasonable step to solicit comment. In determining whether to approve a collection of information, the Board will consider all comments received from the public and other agencies.

Request for Comment on Information Collection Proposal

The Board invites public comment on the following information collection, which is being reviewed under authority delegated by the OMB under the PRA. Comments are invited on the following:

- Whether the proposed collection of information is necessary for the proper performance of the Federal Reserve's functions; including whether the information has practical utility;
- The accuracy of the Federal Reserve's estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, utility, and clarity of the information to be collected;
- Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and
- Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the Federal Reserve should modify the proposal prior to giving final approval.

Proposal To Approve Under OMB Delegated Authority the Extension for Three Years, With Revision, of the Following Report

Report title: Recordkeeping and Disclosure Requirements Associated with Consumer Financial Protection Bureau's (CFPB) Regulation M (Consumer Leasing).

Agency form number: FR M.

OMB control number: 7100-0202.

Frequency: Disclosures, 461 times per year; and Advertising, quarterly.

Respondents: State member banks with assets of \$10 billion or less that are not affiliated with an insured depository institution with assets over \$10 billion (irrespective of the consolidated assets of any holding company); non-depository affiliates of such state member banks; and non-depository affiliates of bank holding companies that are not affiliated with an insured depository institution with assets over \$10 billion.

Estimated number of respondents: 5.

Estimated average hours per response: Disclosures, 6.5 minutes; and advertising, 25 minutes.

Estimated annual burden hours: Disclosures, 250 hours; and advertising, 8 hours.

General description of report: The CLA and Regulation M require lessors uniformly to disclose to consumers the costs, liabilities, and terms of consumer lease transactions. Disclosures are provided to consumers before they enter into lease transactions and in advertisements that state the availability of consumer leases on particular terms. The regulation generally applies to consumer leases of personal property in which the contractual obligation does not exceed \$50,000, adjusted annually for inflation, and has a term of more than four months.¹ The CLA does not provide exemptions for small entities.

Proposed revisions: The Board proposes to revise the methodology for estimating burden for disclosures to provide additional clarity and transparency into the calculation. Specifically, the Board proposes to estimate disclosure burden using the estimated average number of lease contracts each Board-supervised institution initiates annually, assuming it takes approximately 6.5 minutes to populate and provide each disclosure.

Legal authorization and confidentiality: The Board's Legal Division has determined that sections 105(a) and 187 of TILA (15 U.S.C. 1604(a) and 1667f respectively, authorize the CFPB to issue regulations

to carry out the provisions of the CLA. The CFPB's Regulation M, 12 CFR part 1013, implements these statutory provisions. An institution's recordkeeping and disclosure obligations under Regulation M are mandatory. Because the Board does not collect any information pursuant to the CFPB's Regulation M, no issue of confidentiality normally arises. In the event the Board were to retain information regarding consumer leases during the course of an examination, the information regarding the consumer and the lease would be kept confidential pursuant to section (b)(8) of the Freedom of Information Act (5 U.S.C. 522 (b)(8)).

Board of Governors of the Federal Reserve System, April 2, 2018.

Ann Misback,

Secretary of the Board.

[FR Doc. 2018-06947 Filed 4-4-18; 8:45 am]

BILLING CODE 6210-01-P

FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice, request for comment.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) invites comment on a proposal to extend for three years, without revision, the voluntary Federal Reserve Clearance for Board Public website Usability Surveys (FR 3076, OMB No. 7100-0366). On June 15, 1984, the Office of Management and Budget (OMB) delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve of and assign OMB control numbers to collection of information requests and requirements conducted or sponsored by the Board. In exercising this delegated authority, the Board is directed to take every reasonable step to solicit comment. In determining whether to approve a collection of information, the Board will consider all comments received from the public and other agencies.

DATES: Comments must be submitted on or before June 4, 2018.

ADDRESSES: You may submit comments, identified by FR 3076, by any of the following methods:

- *Agency website:* <http://www.federalreserve.gov>. Follow the instructions for submitting comments at <http://www.federalreserve.gov/apps/foia/proposedregs.aspx>.

¹ For 2018, the Regulation M threshold is \$55,800.

• *Email:* regs.comments@federalreserve.gov. Include OMB number in the subject line of the message.

• *Fax:* (202) 452-3819 or (202) 452-3102.

• *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

All public comments are available from the Board's website at <http://www.federalreserve.gov/apps/foia/proposedregs.aspx> as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper form in Room 3515, 1801 K Street (between 18th and 19th Streets NW) Washington, DC 20006 between 9:00 a.m. and 5:00 p.m. on weekdays. For security reasons, the Board requires that visitors make an appointment to inspect comments. You may do so by calling (202) 452-3684. Upon arrival, visitors will be required to present valid government-issued photo identification and to submit to security screening in order to inspect and photocopy comments.

Additionally, commenters may send a copy of their comments to the OMB Desk Officer—Shagufta Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395-6974.

FOR FURTHER INFORMATION CONTACT: A copy of the PRA OMB submission, including the proposed reporting form and instructions, supporting statement, and other documentation will be placed into OMB's public docket files, once approved. These documents will also be made available on the Federal Reserve Board's public website at: <http://www.federalreserve.gov/apps/reportforms/review.aspx> or may be requested from the agency clearance officer, whose name appears below.

Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, Washington, DC 20551 (202) 452-3829. Telecommunications Device for the Deaf (TDD) users may contact (202) 263-4869, Board of Governors of the Federal Reserve System, Washington, DC 20551.

SUPPLEMENTARY INFORMATION:

Request for Comment on Information Collection Proposal

The Board invites public comment on the following information collection, which is being reviewed under authority delegated by the OMB under the PRA. Comments are invited on the following:

a. Whether the proposed collection of information is necessary for the proper performance of the Federal Reserve's functions; including whether the information has practical utility;

b. The accuracy of the Federal Reserve's estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used;

c. Ways to enhance the quality, utility, and clarity of the information to be collected;

d. Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

e. Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the Federal Reserve should modify the proposal prior to giving final approval.

Proposal To Approve Under OMB Delegated Authority the Extension for Three Years, Without Revision, of the Following Report

Report title: Federal Reserve Clearance for Board Public website Usability Surveys.

Agency form number: FR 3076.

OMB control number: 7100-0366.

Frequency: As needed.

Respondents: Individuals.

Estimated number of respondents: Surveys: 100, Focus Groups: 20.

Estimated average hours per response: Surveys: 0.25, Focus Groups: 1.5.

Estimated annual burden hours: 420.

General description of report: The FR 3076 is used to gather qualitative and quantitative information directly from users or potential users of the Board's website such as Congress, other government agencies, the public, economic educators, economists, financial institutions, financial literacy groups, and community development groups and more. Participation is voluntary.

The FR 3076 may seek information from users or potential users of various Board web pages, including press releases, data releases and downloads,

reports, supervision manuals, brochures, new web pages, audio, video, and use of social media. Information gathered may also include general input on users' interests and needs, feedback on website navigation and layout, distribution channels, or other factors which may affect the ability of users to locate and access content online.

Qualitative surveys conducted using the FR 3076 would include data gathering methods such as focus groups and individual interviews. Quantitative surveys conducted using the FR 3076 would include surveys conducted online or via mobile device, by phone or by mail, emails, or a combination of these methods. The Board may contract with an outside vendor to conduct focus groups, interviews, or surveys, or the Board may collect the data directly. As the Board's public website continues to evolve, the Board may seek input from users or potential users of Board's public website on questions such as the following:

- Did you find the content and layout relevant and of value?

- How did you find the content you were looking for?

- Was the navigation useful?

- How did you learn about the content?

- How did you access the content? (e.g.: paper copy distributed at an event, online, or mobile device). If online or through a mobile device, was the document printed, viewed on a tablet, or on a computer screen?

- What suggestions do you have for improving the format and appearance of online presentation? (e.g.: readability—font size, charts, and graphs; organization of information; and navigating—indexing, search tools, and links)

- What other information would be of value to enhance the online tool or information?

Legal authorization and confidentiality: The Board uses its website and social media to communicate important information to the public about a variety of different issues. The Board is required to provide certain information on its website. For example, under section 2B of the Federal Reserve Act the Board is required to provide certain reports, audits, and other information that "the Board reasonably believes is necessary or helpful to the public in understanding the accounting, financial reporting, and internal controls of the Board and the Federal reserve banks." 12 U.S.C. 225b(c). In addition, the Board uses its website to provide the public with information about a variety of other matters, including information

about the Board, its actions, and the economy. The responses to the FR 3076 help the Board determine how to most effectively communicate this information to the public in order to fulfill its statutory responsibilities. The FR 3076 is voluntary. The information collected by the FR 3076 is not considered to be confidential.

Board of Governors of the Federal Reserve System, April 2, 2018.

Ann Misback,

Secretary of the Board.

[FR Doc. 2018-06948 Filed 4-4-18; 8:45 am]

BILLING CODE 6210-01-P

GOVERNMENT ACCOUNTABILITY OFFICE

Request for Nominations for Board of Governors of the Patient-Centered Outcomes Research Institute (PCORI)

AGENCY: Government Accountability Office (GAO).

ACTION: Request for letters of nomination and resumes.

SUMMARY: The Patient Protection and Affordable Care Act gave the Comptroller General of the United States responsibility for appointing 19 members to the Board of Governors of the Patient-Centered Outcomes Research Institute. In addition, the Directors of the Agency for Healthcare Research and Quality and the National Institutes of Health, or their designees, are members of the Board. As the result of terms ending in September 2018, GAO is accepting nominations in the following categories required in statute: A physician, a nurse, a representative of patients and health care consumers, a representative of private payers, a representative of a state or a federal health program or agency, and a representative of pharmaceutical, device, or diagnostic manufacturers or developers. Nominations should be sent to the email or mailing address listed below. Acknowledgement of submissions will be provided within a week of submission.

DATES: Letters of nomination and resumes should be submitted no later than May 4, 2018, to ensure adequate opportunity for review and consideration of nominees prior to appointment.

ADDRESSES: Submit letters of nomination and resumes by either of the following methods: Email: PCORI@gao.gov. Include PCORI Nominations in the subject line of the message, or Mail: U.S. GAO, Attn: PCORI Board

Nominations, 441 G Street NW, Washington, DC 20548.

FOR FURTHER INFORMATION CONTACT:

Rashmi Agarwal at (202) 512-4077 or agarwalr@gao.gov if you do not receive an acknowledgement or need additional information. For general information, contact GAO's Office of Public Affairs, (202) 512-4800.

Authority: [Sec. 6301 and Sec. 10602, Pub. L. 111-148].

Gene L. Dodaro,

Comptroller General of the United States.

[FR Doc. 2018-06999 Filed 4-4-18; 8:45 am]

BILLING CODE 1610-02-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2002-D-0093]

Liposome Drug Products: Chemistry, Manufacturing, and Controls; Human Pharmacokinetics and Bioavailability; and Labeling Documentation; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a guidance for industry entitled "Liposome Drug Products: Chemistry, Manufacturing, and Controls; Human Pharmacokinetics and Bioavailability; and Labeling Documentation." This guidance document finalizes the revised draft of the same name that published on October 30, 2015. This guidance provides recommendations to applicants on the chemistry, manufacturing, and controls (CMC); pharmacokinetics and bioavailability; and labeling documentation for liposome drug products submitted in new drug applications (NDAs) and abbreviated new drug applications (ANDAs), reviewed by the Center for Drug Evaluation and Research (CDER).

DATES: The announcement of the guidance is published in the **Federal Register** on April 5, 2018.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the

instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see "Written/Paper Submissions" and "Instructions").

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in "Instructions."

Instructions: All submissions received must include the Docket No. FDA-2002-D-0093 (formerly 2002D-0337) for "Liposome Drug Products: Chemistry, Manufacturing, and Controls; Human Pharmacokinetics and Bioavailability; and Labeling Documentation." Received comments will be placed in the docket and, except for those submitted as "Confidential Submissions," publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

- *Confidential Submissions—*To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states "THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION." The Agency will review this copy, including

the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as “confidential.” Any information marked as “confidential” will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the “Search” box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT:

Richard T. Lostritto, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 4132, Silver Spring, MD 20993–0002, 301–796–1697.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a guidance for industry entitled “Liposome Drug Products: Chemistry, Manufacturing, and Controls; Human Pharmacokinetics and Bioavailability; and Labeling Documentation.” This guidance provides recommendations to applicants on the CMC, human

pharmacokinetics and bioavailability, and labeling documentation for liposome drug products submitted in NDAs and ANDAs reviewed by CDER. Although this guidance does not intend to provide recommendations specific to liposome drug products to be marketed under biologics license applications (BLAs), many scientific principles described in this guidance may also apply to these products.

In the **Federal Register** of August 21, 2002 (67 FR 54220), FDA announced the availability of a draft version of this guidance. FDA published a revised draft guidance on October 30, 2015 (80 FR 66906), because of the need to address changes in technology since the draft was first published in 2002, and to add ANDAs to the scope. Most of the changes to the 2015 revised draft guidance were made to clarify statements in the 2002 draft guidance. FDA received comments in response to the draft and revised draft guidance, and this guidance reflects FDA’s careful consideration of those comments.

The guidance does not provide recommendations on clinical efficacy and safety studies, nonclinical pharmacology and/or toxicology studies, liposome formulations of vaccine adjuvants or biologics, or drug-lipid complexes.

This guidance is being issued consistent with FDA’s good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on “Liposome Drug Products: Chemistry, Manufacturing, and Controls; Human Pharmacokinetics and Bioavailability; and Labeling Documentation.” It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. This guidance is not subject to Executive Order 12866.

II. The Paperwork Reduction Act of 1995

This guidance refers to previously approved collections of information that are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in 21 CFR part 314 have been approved under OMB control number 0910–0001.

III. Electronic Access

Persons with access to the internet may obtain the document at either <https://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/default.htm> or <https://www.regulations.gov>.

Dated: March 29, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–06926 Filed 4–4–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: OS–0990–0438]

Agency Information Collection Request. 60-Day Public Comment Request

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of a proposed collection for public comment.

DATES: Comments on the ICR must be received on or before June 4, 2018.

ADDRESSES: Submit your comments to Sherrette.Funn@hhs.gov or by calling (202) 795–7714.

FOR FURTHER INFORMATION CONTACT:

When submitting comments or requesting information, please include the document identifier 0990–0438–60D and project title for reference, to Sherrette.funn@hhs.gov, or call the Reports Clearance Officer.

SUPPLEMENTARY INFORMATION: Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency’s functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Title of the Collection: Teen Pregnancy Prevention Performance Measures Data Collection, Office of Adolescent Health.

Type of Collection: Revision.
OMB No.: 0990–0438.

Abstract: The Office of Adolescent Health (OAH), U.S. Department of Health and Human Services (HHS) is requesting approval by OMB on a revision of the Teen Pregnancy Prevention (TPP) Performance Measures from funded grantees. The performance measures data include grantee-level measures (dissemination, partners,

training, sustainability), and program-level data (reach, dosage, fidelity and quality). The data collection will provide OAH with the data needed to comply with accountability and federal performance requirements for the 1993 Government Performance and Results

Act (Pub. L. 103–62); it will inform stakeholders of progress in meeting the goals of the program and of sustainability efforts; it will provide OAH with metrics for monitoring TPP grantees and it will facilitate grantees' continuous quality improvement in

program implementation. Clearance is requested for three years.

The likely respondents would be the estimated 85 TPP grantees. TPP grantees will report all of the data to OAH twice per year.

ANNUALIZED BURDEN HOUR TABLE

Forms (if necessary)	Respondents (if necessary)	Number of respondents	Number of responses per respondents	Average burden per response	Total burden hours
Grantee-level measures	TPP grantees	85	2	1	170
Program-level Measures	TPP grantees	85	2	372/60	1054
Total .....	.....	.....	4	.....	1224

Dated: March 30, 2018.

Terry S. Clark,

Asst. Paperwork Reduction Act Reports Clearance Officer, Office of the Secretary.

[FR Doc. 2018–06959 Filed 4–4–18; 8:45 am]

BILLING CODE 4168–11–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Library of Medicine; Amended; Notice of Meeting

Notice is hereby given of a change in the meeting of the Board of Regents of the National Library of Medicine, May 8, 2018, 9:00 a.m. to May 9, 2018, 12:00 p.m., National Library of Medicine, Building 38, 2nd Floor, The Donald A.B. Lindberg Room, 8600 Rockville Pike, Bethesda, MD, 20892 which was published in the **Federal Register** on March 7, 2018, 83 FR 45 Page 9746.

The meeting will be open to the public on May 9, 2018 from 9:00 a.m. to 10:30 a.m. and will then be closed from 10:30 a.m. to 12:00 p.m., to review intramural programs and projects. The meeting is partially closed to the public.

Dated: March 30, 2018.

Michelle D. Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–06898 Filed 4–4–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Notice of Meeting for the Interdepartmental Serious Mental Illness Coordinating Committee (ISMICC)

AGENCY: Substance Abuse and Mental Health Services Administration, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Secretary of Health and Human Services (Secretary), in accordance with section 6031 of the 21st Century Cures Act, announces a meeting of the Interdepartmental Serious Mental Illness Coordinating Committee (ISMICC).

The meeting is open to the public and will include information on federal efforts related to serious mental illness (SMI) and serious emotional disturbance (SED), including data evaluation, and recommendations for action. Committee members will also discuss ISMICC member relationship to implementation workgroups, establishing the prevalence of SMI and SED, communication with non-federal organizations to engage non-federal support for ISMICC, and future meetings.

Committee Name: Interdepartmental Serious Mental Illness Coordinating Committee.

DATE/TIME: June 8, 2018/9:00 a.m.–5:00 p.m. (EDT).

ADDRESSES: The meeting will be held at the Hubert H. Humphrey Building, 200 Independence Avenue SW, Room 800, Washington, DC 20201.

The meeting can be accessed via webcast at www.hhs.gov/live, or by joining the teleconference at toll-free

number 1–888–928–9713, passcode 7160920.

The public comment section is scheduled for 1:00 p.m. Eastern Daylight Time (EDT), and individuals interested in submitting a comment, must notify the Designated Federal Official (DFO), Ms. Pamela Foote, on or before May 24, 2018 via email to: Pamela.Foote@samhsa.hhs.gov.

Two minutes will be allotted for each approved public comment as time permits. Written comments received in advance of the meeting will be included in the official record of the meeting.

Substantive meeting information and a roster of Committee members is available at the Committee's website <https://www.samhsa.gov/about-us/advisory-councils/smi-committee>.

SUPPLEMENTARY INFORMATION:

I. Background and Authority

The ISMICC was established on March 15, 2017, in accordance with section 6031 of the 21st Century Cures Act, and the Federal Advisory Committee Act, 5 U.S.C. App., as amended, to report to the Secretary, Congress, and any other relevant federal department or agency on advances in serious mental illness (SMI) and serious emotional disturbance (SED), research related to the prevention of, diagnosis of, intervention in, and treatment and recovery of SMIs, SEDs, and advances in access to services and support for adults with SMI or children with SED. In addition, the ISMICC will evaluate the effect federal programs related to serious mental illness have on public health, including public health outcomes such as (A) rates of suicide, suicide attempts, incidence and prevalence of SMIs, SEDs, and substance use disorders, overdose, overdose deaths, emergency hospitalizations, emergency room boarding, preventable emergency room visits, interaction with the criminal

justice system, homelessness, and unemployment; (B) increased rates of employment and enrollment in educational and vocational programs; (C) quality of mental and substance use disorders treatment services; or (D) any other criteria as may be determined by the Secretary. Finally, the ISMICC will make specific recommendations for actions that agencies can take to better coordinate the administration of mental health services for adults with SMI or children with SED. Not later than 1 (one) year after the date of enactment of the 21st Century Cures Act, and 5 (five) years after such date of enactment, the ISMICC shall submit a report to Congress and any other relevant federal department or agency.

II. Membership

This ISMICC consists of federal members listed below or their designees, and non-federal public members.

Federal Membership: Members include, The Secretary of HHS; The Assistant Secretary for Mental Health and Substance Use; The Attorney General; The Secretary of the Department of Veterans Affairs; The Secretary of the Department of Defense; The Secretary of the Department of Housing and Urban Development; The Secretary of the Department of Education; The Secretary of the Department of Labor; The Administrator of the Centers for Medicare and Medicaid Services; and The Commissioner of the Social Security Administration.

Non-federal Membership: Members include, 14 non-federal public members appointed by the Secretary, representing psychologists, psychiatrists, social workers, peer support specialists, and other providers, patients, family of patients, law enforcement, the judiciary, and leading research, advocacy, or service organizations.

The ISMICC is required to meet twice per year.

FOR FURTHER INFORMATION CONTACT: Pamela Foote, Substance Abuse and Mental Health Services Administration, 5600 Fishers Lane, 14E53C, Rockville, MD 20857; telephone: 240-276-1279; email: pamela.foote@samhsa.hhs.gov.

Dated: March 30, 2018.

Carlos Castillo,

Committee Management Officer.

[FR Doc. 2018-06913 Filed 4-4-18; 8:45 am]

BILLING CODE 4162-20-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2017-0036; OMB No. 1660-0068]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; Federal Hotel and Motel Fire Safety Declaration Form

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice and request for comments.

SUMMARY: The Federal Emergency Management Agency (FEMA) will submit the information collection abstracted below to the Office of Management and Budget for review and clearance in accordance with the requirements of the Paperwork Reduction Act of 1995. The submission will describe the nature of the information collection, the categories of respondents, the estimated burden (*i.e.*, the time, effort and resources used by respondents to respond) and cost, and the actual data collection instruments FEMA will use.

DATES: Comments must be submitted on or before May 7, 2018.

ADDRESSES: Submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the Desk Officer for the Department of Homeland Security, Federal Emergency Management Agency, and sent via electronic mail to dhsdeskofficer@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection should be made to Director, Information Management Division, 500 C Street SW, Washington, DC 20472, email address FEMA-Information-Collections-Management@fema.dhs.gov or Teressa Kaas, Fire Program Specialist, FEMA/ U.S. Fire Administration, 301-447-1263 for additional information.

SUPPLEMENTARY INFORMATION: This proposed information collection previously published in the **Federal Register** on December 1, 2017 at 82 FR 56983 with a 60 day public comment period. FEMA received 15 anonymous public comments that were not relevant to the information collection. The purpose of this notice is to notify the public that FEMA will submit the

information collection abstracted below to the Office of Management and Budget for review and clearance.

Collection of Information

Title: Federal Hotel and Motel Fire Safety Declaration Form.

Type of Information Collection: Revision of a currently approved information collection.

OMB Number: 1660-0068.

Form Titles and Numbers: FEMA Form 516-0-1, Federal Hotel and Motel Fire Safety Declaration Form.

Abstract: FEMA Form 516-0-1 collects basic information on life-safety systems related directly to fire-safety in hotels, motels, and similar places of accommodations applying for inclusion on the National Master List in compliance with the Hotel and Motel Fire Safety Act of 1990 (Pub. L. 101-391). Information is published in the National Master List and is publicly available.

Affected Public: Business or other for-profit; State, Local or Tribal Government.

Estimated Number of Respondents: 1,330.

Estimated Number of Responses: 1,897.

Estimated Total Annual Burden Hours: 523 hours.

Estimated Total Annual Respondent Cost: \$22,116.82.

Estimated Respondents' Operation and Maintenance Costs: \$0.

Estimated Respondents' Capital and Start-Up Costs: \$0.

Estimated Total Annual Cost to the Federal Government: \$67,971.47.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

Dated: March 27, 2018.

Rachel Frier,

Records Management Branch Chief, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2018-06979 Filed 4-4-18; 8:45 am]

BILLING CODE 9111-45-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2018-0002]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final Notice.

SUMMARY: New or modified Base (1-percent annual chance) Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, and/or regulatory floodways (hereinafter referred to as flood hazard determinations) as shown on the indicated Letter of Map Revision (LOMR) for each of the communities listed in the table below are finalized. Each LOMR revises the Flood Insurance Rate Maps (FIRMs), and in some cases the Flood Insurance Study (FIS) reports, currently in effect for the listed communities. The flood hazard determinations modified by each LOMR will be used to calculate flood insurance premium rates for new buildings and their contents.

DATES: Each LOMR was finalized as in the table below.

ADDRESSES: Each LOMR is available for inspection at both the respective Community Map Repository address listed in the table below and online through the FEMA Map Service Center at <https://msc.fema.gov>.

FOR FURTHER INFORMATION CONTACT: Rick Sacibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacibit@fema.dhs.gov; or visit the FEMA Map Information eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final flood hazard determinations as shown in the LOMRs for each community listed in the table below. Notice of these modified flood hazard determinations has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

The modified flood hazard determinations are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The new or modified flood hazard information is the basis for the floodplain management measures that the community is required either to

adopt or to show evidence of being already in effect in order to remain qualified for participation in the National Flood Insurance Program (NFIP).

This new or modified flood hazard information, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

This new or modified flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings, and for the contents in those buildings. The changes in flood hazard determinations are in accordance with 44 CFR 65.4.

Interested lessees and owners of real property are encouraged to review the final flood hazard information available at the address cited below for each community or online through the FEMA Map Service Center at <https://msc.fema.gov>.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: March 22, 2018.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Alaska: Anchorage (FEMA Docket No.: B-1756).	Municipality of Anchorage (17-10-0709P).	The Honorable Ethan Berkowitz, Mayor, Municipality of Anchorage, 632 West 6th Avenue Suite 840, Anchorage, AK 99501.	City Hall, 632 West 6th Avenue, Anchorage, AK 99501.	Jan. 12, 2018	020005
Arizona:					
Maricopa (FEMA Docket No.: B-1760).	City of Avondale (17-09-1266P).	The Honorable Kenn Weise, Mayor, City of Avondale, 11465 West Civic Center Drive, Avondale, AZ 85323.	Development & Engineering Services Department, 11465 West Civic Center Drive, Avondale, AZ 85323.	Jan. 26, 2018	040038
Maricopa (FEMA Docket No.: B-1760).	City of Scottsdale (17-09-0349P).	The Honorable W.J. "Jim" Lane, Mayor, City of Scottsdale, City Hall, 3939 North Drinkwater Boulevard, Scottsdale, AZ 85251.	Planning Records, 7447 East Indian School Road, Suite 100, Scottsdale, AZ 85251.	Jan. 26, 2018	045012
Maricopa (FEMA Docket No.: B-1760).	Town of Paradise Valley (17-09-0349P).	The Honorable Michael Collins, Mayor, Town of Paradise Valley, 6401 East Lincoln Drive, Paradise Valley, AZ 85253.	Town Hall, 6401 East Lincoln Drive, Paradise Valley, AZ 85253.	Jan. 26, 2018	040049
Maricopa (FEMA Docket No.: B-1765).	Unincorporated Areas of Maricopa County (17-09-0882P).	The Honorable Denny Barney, Chairman, Board of Supervisors, Maricopa County, 301 West Jefferson Street, 10th Floor, Phoenix, AZ 85003.	Flood Control District of Maricopa County, 2801 West Durango Street, Phoenix, AZ 85009.	Feb. 9, 2018	040037

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Maricopa (FEMA Docket No.: B-1760).	Unincorporated Areas of Maricopa County (17-09-1266P).	The Honorable Denny Barney, Chairman, Board of Supervisors, Maricopa County, 301 West Jefferson Street, 10th Floor, Phoenix, AZ 85003.	Flood Control District of Maricopa County, 2801 West Durango Street, Phoenix, AZ 85009.	Jan. 26, 2018	040037
California:					
Los Angeles (FEMA Docket No.: B-1760).	City of Calabasas (17-09-0821P).	The Honorable Mary Sue Maurer, Mayor, City of Calabasas, 100 Civic Center Way, Calabasas, CA 91302.	City Hall, 100 Civic Center Way, Calabasas, CA 91302.	Feb. 5, 2018	060749
Napa (FEMA Docket No.: B-1760).	Unincorporated Areas of Napa County (17-09-0456P).	The Honorable Belia Ramos, Chair, Board of Supervisors, Napa County, 1195 3rd Street, Suite 310, Napa, CA 94559.	Napa County Public Works Department, 1195 3rd Street, Suite 201, Napa, CA 94559.	Feb. 9, 2018	060205
Riverside (FEMA Docket No.: B-1756).	City of Corona (17-09-0805P).	The Honorable Dick Haley, Mayor, City of Corona, 400 South Vicentia Avenue, Corona, CA 92882.	City Hall, 400 South Vicentia Avenue, Corona, CA 92882.	Jan. 19, 2018	060250
Riverside (FEMA Docket No.: B-1760).	City of Corona (17-09-1498P).	The Honorable Dick Haley, Mayor, City of Corona, 400 South Vicentia Avenue, Corona, CA 92882.	City Hall, 400 South Vicentia Avenue, Corona, CA 92882.	Feb. 1, 2018	060250
Riverside (FEMA Docket No.: B-1756).	Unincorporated Areas of Riverside County (17-09-0805P).	The Honorable John F Tavaglione, Chairman, Board of Supervisors, Riverside County, 4080 Lemon Street, 5th Floor, Riverside, CA 92501.	Riverside County Flood Control and Water Conservation District, 1995 Market Street, Riverside, CA 92502.	Jan. 19, 2018	060245
Sacramento (FEMA Docket No.: B-1756).	Unincorporated Areas of Sacramento County (16-09-2857P).	The Honorable Don Nottoli, Chairman, Board of Supervisors, Sacramento County, 700 H Street, Suite 2450, Sacramento, CA 95814.	Sacramento County, Department of Water Resources, 827 7th Street, Suite 301, Sacramento, CA 95814.	Jan. 10, 2018	060262
San Benito (FEMA Docket No.: B-1756).	City of Hollister (17-09-1234P).	The Honorable Ignacio Velazquez, Mayor, City of Hollister, 375 5th Street, Hollister, CA 95023.	Planning Department, 420 Hill Street, Building A, Hollister, CA 95023.	Jan. 8, 2018	060268
San Benito (FEMA Docket No.: B-1756).	Unincorporated Areas of San Benito County (17-09-1234P).	The Honorable Jaime De La Cruz, Chairman, Board of Supervisors, San Benito County, 481 4th Street, 1st Floor, Hollister, CA 95023.	San Benito County Department of Public Works, 3220 Southside Road, Hollister, CA 95023.	Jan. 8, 2018	060267
San Diego (FEMA Docket No.: B-1765).	City of Oceanside (17-09-0650P).	The Honorable Jim Wood, Mayor, City of Oceanside, 300 North Coast Highway, Oceanside, CA 92054.	City Hall, 300 North Coast Highway, Oceanside, CA 92054.	Feb. 12, 2018	060294
San Diego (FEMA Docket No.: B-1768).	City of Oceanside (18-09-0027X).	The Honorable Jim Wood, Mayor, City of Oceanside, 300 North Coast Highway, Oceanside, CA 92054.	City Hall, 300 North Coast Highway, Oceanside, CA 92054.	Feb. 27, 2018	060294
San Luis Obispo (FEMA Docket No.: B-1756).	Unincorporated Areas of San Luis Obispo County (16-09-3181P).	The Honorable John Peschong, Chairman, Board of Supervisors, San Luis Obispo County, 1055 Monterey Street Suite D430, San Luis Obispo, CA 93408.	San Luis Obispo County, Public Works Department, 976 Osos Street, Room 207, San Luis Obispo, CA 93401.	Jan. 11, 2018	060304
Santa Clara (FEMA Docket No.: B-1752).	City of Gilroy (16-09-2429P).	The Honorable Roland Velasco, Mayor, City of Gilroy, City Hall, 7351 Rosanna Street, Gilroy, CA 95020.	Public Works Department, 7351 Rosanna Street, Gilroy, CA 95020.	Jan. 8, 2018	060340
Santa Clara (FEMA Docket No.: B-1756).	City of San Jose (16-09-3074P).	The Honorable Sam Liccardo, Mayor, City of San Jose, 200 East Santa Clara Street, 18th Floor, San Jose, CA 95113.	Department of Public Works, 200 East Santa Clara Street, 5th Floor, San Jose, CA 95113.	Jan. 5, 2018	060349
Santa Clara (FEMA Docket No.: B-1752).	Unincorporated Areas of Santa Clara County (16-09-2429P).	The Honorable Dave Cortese, Chairman, Board of Supervisors, Santa Clara County, 70 West Hedding Street East Wing, 10th Floor, Santa Jose, CA 95110.	Santa Clara County, Office of Planning, 70 West Hedding Street, San Jose, CA 95110.	Jan. 8, 2018	060337
Florida: St. Johns (FEMA Docket No.: B-1756).	Unincorporated Areas of St Johns County (17-04-4604P).	The Honorable James K Johns, Chairman, St. Johns County Board of Commissioners, 500 San Sebastian View, St Augustine, FL 32084.	St. Johns County, Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32084.	Jan. 12, 2018	125147
Idaho:					

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Ada (FEMA Docket No.: B-1756).	City of Eagle (17-10-1535P).	The Honorable Stan Ridgeway, Mayor, City of Eagle, City Hall, 660 East Civic Lane, Eagle, ID 83616.	City Hall, 660 East Civic Street, Eagle, ID 83616.	Jan. 16, 2018	160003
Ada (FEMA Docket No.: B-1756).	Unincorporated Areas of Ada County (17-10-1535P).	The Honorable David L Case, Chairman, Ada County Board of Commissioners, 200 West Front Street, 3rd Floor, Boise, ID 83702.	Ada County Courthouse, 200 Front West Street, Boise, ID 83702.	Jan. 16, 2018	160001
Canyon (FEMA Docket No.: B-1765).	Unincorporated Areas of Canyon County (17-10-1537P).	Mr. Tom Dale, Commissioner, Canyon County, 1115 Albany Street Room 350, Caldwell, ID 83605.	Canyon County Courthouse, 1115 Albany Street, Caldwell, ID 83605.	Jan. 31, 2018	160208
Teton (FEMA Docket No.: B-1768).	City of Victor (17-10-1027P).	The Honorable Jeff Potter, Mayor, City of Victor, 32 Elm Street, Victor, ID 83455.	City Hall, 32 Elm Street, Victor, ID 83455	Feb. 9, 2018	160119
Teton (FEMA Docket No.: B-1768).	Unincorporated Areas of Teton County (17-10-1027P).	The Honorable Mark R. Ricks, Chairman, Teton County, Board of Commissioners, 150 Courthouse Drive, Driggs, ID 83422.	Teton County Courthouse, 150 Courthouse Drive, Driggs, ID 83422.	Feb. 9, 2018	160230
Illinois:					
Madison (FEMA Docket No.: B-1760).	City of Wood River (17-05-1811P).	The Honorable Cheryl Maguire, Mayor, City of Wood River, 111 North Wood River Avenue, Wood River, IL 62095.	City Hall, 111 North Wood River Avenue, Wood River, IL 62095.	Feb. 9, 2018	170451
Will (FEMA Docket No.: B-1765).	Village of Mokena (17-05-6107P).	The Honorable Frank A Fleischer, Village President, Village of Mokena, 11004 Carpenter Street, Mokena, IL 60448.	Village Hall, 11004 Carpenter Street, Mokena, IL 60448.	Feb. 9, 2018	170705
Winnebago (FEMA Docket No.: B-1765).	Unincorporated Areas of Winnebago County (17-05-5139P).	The Honorable Frank Haney, Chairman, Winnebago County Board, Administration Building, 404 Elm Street, Room 533, Rockford, IL 61101.	Winnebago County Courthouse, 404 Elm Street, Rockford, IL 61101.	Jan. 30, 2018	170720
Winnebago (FEMA Docket No.: B-1765).	Village of Cherry Valley (17-05-5139P).	The Honorable Jim E. Claeysen, Village President, Village of Cherry Valley, 806 East State Street, Cherry Valley, IL 61016.	Village Hall, 806 East State Street, Cherry Valley, IL 61016.	Jan. 30, 2018	170721
Iowa: Polk (FEMA Docket No.: B-1760).	Unincorporated Areas of Polk County (17-07-0912P).	Councilman Robert Brownell, Counselor, Polk County District 1, Polk County Administration Building, 111 Court Avenue, Suite 300, Des Moines, IA 50309.	Polk County Planning Division, 5885 Northeast 14th Street, Des Moines, IA 50313.	Jan. 16, 2018	190901
Kansas: Johnson (FEMA Docket No.: B-1756).	City of Overland Park (17-07-1247P).	The Honorable Carl Gerlach, Mayor, City of Overland Park, City Hall, 8500 Santa Fe Drive, Overland Park, KS 66212.	City Hall, 8500 Santa Fe Drive, Overland Park, KS 66212.	Jan. 5, 2018	200174
Michigan:					
Oakland (FEMA Docket No.: B-1768).	City of Farmington Hills (17-05-4122P).	The Honorable Kenneth Massey, Mayor, City of Farmington Hills, City Hall, 31555 West Eleven Mile Road, Farmington Hills, MI 48336.	City Hall, 31555 West Eleven Mile Road, Farmington Hills, MI 48336.	Feb. 23, 2018	260172
Oakland (FEMA Docket No.: B-1768).	City of Novi (17-05-0556P).	The Honorable Bob Gatt, Mayor, City of Novi, Civic Center, 45175 Ten Mile Road, Novi, MI 48375.	Civic Center, 45175 Ten Mile Road, Novi, MI 48375.	Feb. 23, 2018	260175
Oakland (FEMA Docket No.: B-1768).	City of Novi (17-05-4122P).	The Honorable Bob Gatt, Mayor, City of Novi, Civic Center, 45175 Ten Mile Road, Novi, MI 48375.	Civic Center, 45175 Ten Mile Road, Novi, MI 48375.	Feb. 23, 2018	260175
Minnesota:					
Hennepin (FEMA Docket No.: B-1765).	City of Champlin (17-05-3893P).	The Honorable Ryan Karasek, Mayor, City of Champlin, City Hall, 11955 Champlin Drive, Champlin, MN 55316.	City Hall, Building Department, 11955 Champlin Road, Champlin, MN 55316.	Feb. 16, 2018	270153
Hennepin (FEMA Docket No.: B-1765).	City of Corcoran (17-05-3730P).	The Honorable Ron Thomas, Mayor, City of Corcoran, City Hall, 8200 County Road 116, Corcoran, MN 55340.	City Hall, 8200 County Road 116, Corcoran, MN 55340.	Feb. 9, 2018	270155
Stearns (FEMA Docket No.: B-1760).	City of Melrose (17-05-3040P).	The Honorable Joe Finken, Mayor, City of Melrose, 225 1st Street Northeast, Melrose, MN 56352.	Administration Office, 225 East 1st Street Northeast, Melrose, MN 56352.	Jan. 18, 2018	270450
Missouri:					

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.	
	Cass (FEMA Docket No.: B-1752).	City of Belton (17-07-0605P).	The Honorable Jeff Davis, Mayor, City of Belton, Belton City Hall, 506 Main Street, Belton, MO 64012.	City Hall Annex, 520 Main Street, Belton, MO 64012.	Jan. 2, 2018	290062
	Clay (FEMA Docket No.: B-1768).	City of Gladstone (17-07-0895P).	The Honorable R.D. Mallams, Mayor, City of Gladstone, City Hall, 7010 North Holmes Street, Gladstone, MO 64118.	City Hall, 7010 North Holmes Street, Gladstone, MO 64118.	Feb. 15, 2018	290091
	St. Charles (FEMA Docket No.: B-1760).	City of Saint Peters (17-07-0905P).	The Honorable Len Pagano, Mayor, City of Saint Peters, 1 Saint Peters Centre Boulevard, Saint Peters, MO 63376.	City Hall, 1 Saint Peters Centre Boulevard, Saint Peters, MO 63376.	Jan. 18, 2018	290319
Nevada:						
	Clark (FEMA Docket No.: B-1765).	City of Henderson (17-09-1773P).	The Honorable Debra March, Mayor, City of Henderson, City Hall, 240 South Water Street, Henderson, NV 89015.	Public Works Department, 240 South Water Street, Henderson, NV 89015.	Feb. 12, 2018	320005
	Clark (FEMA Docket No.: B-1765).	City of Henderson (17-09-1937P).	The Honorable Debra March, Mayor, City of Henderson, City Hall, 240 South Water Street, Henderson, NV 89015.	Public Works Department, 240 South Water Street, Henderson, NV 89015.	Feb. 6, 2018	320005
	Clark (FEMA Docket No.: B-1765).	City of Las Vegas (17-09-1166P).	The Honorable Carolyn B Goodman, Mayor, City of Las Vegas, City Hall, 495 South Main Street, Las Vegas, NV 89101.	Public Works Department, 400 Stewart Avenue, 4th Floor, Las Vegas, NV 89101.	Feb. 5, 2018	325276
New Jersey:						
	Bergen (FEMA Docket No.: B-1752).	Borough of New Milford (17-02-0405P).	The Honorable Ann Subrizi, Mayor, Borough of New Milford, New Milford Borough Hall, 930 River Road, New Milford, NJ 07646.	Borough Hall, 930 River Road, New Milford, NJ 07646.	Jan. 5, 2018	340054
	Bergen (FEMA Docket No.: B-1752).	Township of Teaneck (17-02-0405P).	The Honorable Mohammed Hameeduddin, Mayor, Township of Teaneck, Teaneck Municipal Building, 818 Teaneck Road, Teaneck, NJ 07666.	Teaneck Municipal Building, 818 Teaneck Road, Teaneck, NJ 07666.	Jan. 5, 2018	340075
New York:						
	Suffolk (FEMA Docket No.: B-1752).	Town of Southold (17-02-1400P).	Mr. Scott A Russell, Town Supervisor, Town of Southold, 53095 Main Road, Southold, NY 11971.	Town Hall, 53095 Route 25, Southold, NY 11971.	Feb. 16, 2018	360813
	Tioga (FEMA Docket No.: B-1752).	Town of Nichols (17-02-0953P).	Mr. Kevin K. Engelbert, Supervisor, Town of Nichols, P.O. Box 359, Nichols, NY 13812.	Town Hall, 54 East River Road, Nichols, NY 13812.	Feb. 16, 2018	360837
	Tioga (FEMA Docket No.: B-1752).	Village of Nichols (17-02-0953P).	The Honorable Leslie Pelotte, Mayor, Village of Nichols, P.O. Box 142, Nichols, NY 13812.	Village Hall, 17 Kirby Street, Nichols, NY 13812.	Feb. 16, 2018	360838
Ohio:						
	Lucas (FEMA Docket No.: B-1765).	City of Toledo (17-05-3511P).	The Honorable Paula Hicks-Hudson, Mayor, City of Toledo, 1 Government Center Suite 2200, Toledo, OH 43604.	Department of Inspection, 1 Government Center Suite 1600, Toledo, OH 43604.	Feb. 9, 2018	395373
	Lucas (FEMA Docket No.: B-1765).	Unincorporated Areas of Lucas County (17-05-3511P).	Mr. Pete Gerken, President, Board of County Commissioners, 1 Government Center Suite 800, Toledo, OH 43604.	Lucas County Engineer's Office, 1049 South McCord Road, Holland, OH 43528.	Feb. 9, 2018	390359
Oregon:						
	Jackson (FEMA Docket No.: B-1765).	Unincorporated Areas of Jackson County (17-10-1310P).	Ms. Colleen Roberts, Commissioner, Jackson County, Jackson County Courthouse, 10 South Oakdale Avenue, Room 214, Medford, OR 97501.	Jackson County Development Services, 10 South Oakdale Avenue, Medford, OR 97501.	Jan. 22, 2018	415589
Texas:						
	Collin and Dallas (FEMA Docket No.: B-1768).	City of Richardson (17-06-1790P).	The Honorable Paul Voelker, Mayor, City of Richardson, Richardson Civic Center/City Hall, 411 West Arapaho Road, Richardson, TX 75080.	City Hall, 411 West Arapaho Road Room 204, Richardson, TX 75080.	Feb. 22, 2018	480184
	Dallas (FEMA Docket No.: B-1752).	City of Coppell (17-06-2181P).	The Honorable Karen Hunt, Mayor, City of Coppell, 255 East Parkway Boulevard, Coppell, TX 75019.	City Engineering Department, 255 Parkway Boulevard, Coppell, TX 75019.	Jan. 2, 2018	480170

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Dallas (FEMA Docket No.: B-1768).	City of Garland (17-06-1790P).	The Honorable Douglas Athas, Mayor, City of Garland, William E. Dollar Municipal Building, 200 North 5th Street, Garland, TX 75040.	Main Street Municipal Building, 800 Main Street, Garland, TX 75040.	Feb. 22, 2018	485471
Denton (FEMA Docket No.: B-1765).	City of Carrollton (17-06-3083P).	The Honorable Kevin Falconer, Mayor, City of Carrollton, P.O. Box 110535, Carrollton, TX 75011.	City Hall, 1945 East Jackson Road, Carrollton, TX 75006.	Feb. 12, 2018	480167
Denton (FEMA Docket No.: B-1765).	City of Lewisville (17-06-3083P).	The Honorable Rudy Durham, Mayor, City of Lewisville, P.O. Box 299002, Lewisville, TX 75029.	City Hall, 1197 West Main Street, Lewisville, TX 75067.	Feb. 12, 2018	480195
Washington: King (FEMA Docket No.: B-1752).	City of North Bend (17-10-0730P).	The Honorable Kenneth G. Hearing, Mayor, City of North Bend, 211 Main Avenue North, North Bend, WA 98045.	Planning Department, 126 East 4th Street, North Bend, WA 98045.	Jan. 8, 2018	530085
King (FEMA Docket No.: B-1752).	Unincorporated Areas of King County (17-10-0730P).	The Honorable Dow Constantine, County Executive, King County, 401 5th Avenue, Suite 800, Seattle, WA 98104.	Department of Water and Land Resources, 201 South Jackson Street, Suite 600, Seattle, WA 98055.	Jan. 8, 2018	530071
Wisconsin: Milwaukee (FEMA Docket No.: B-1760).	Village of Greendale (17-05-5076P).	The Honorable James Birmingham, President, Village of Greendale, 6500 Northway Street, Greendale, WI 53129.	Village Hall, 6500 Northway Street, Greendale, WI 53129.	Jan. 19, 2018	550276
Outagamie (FEMA Docket No.: B-1768).	City of Appleton (17-05-3854P).	The Honorable Timothy Hanna, Mayor, City of Appleton, City Hall, 100 North Appleton Street, Appleton, WI 54911.	City Hall, 100 North Appleton Street, Appleton, WI 54911.	Feb. 22, 2018	480184
Washington (FEMA Docket No.: B-1765).	City of Hartford (17-05-4823P).	The Honorable Joseph Dautermann, Mayor, City of Hartford, 109 North Main Street, Hartford, WI 53027.	City Hall, 109 North Main Street, Hartford, WI 53027.	Feb. 7, 2018	550473
Washington (FEMA Docket No.: B-1765).	Unincorporated Areas of Washington County (17-05-4823P).	Mr. Rick J. Gundrum, Chairperson, Washington County, 432 East Washington Street, Suite 3029, West Bend, WI 53095.	Washington County Government Center, 432 East Washington Street, West Bend, WI 53095.	Feb. 7, 2018	550471

[FR Doc. 2018-06977 Filed 4-4-18; 8:45 am]
BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-4357-DR; Docket ID FEMA-2018-0001]

American Samoa; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the territory of American Samoa (FEMA-4357-DR), dated March 2, 2018, and related determinations.

DATES: The declaration was issued March 2, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency

Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated March 2, 2018, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the "Stafford Act"), as follows:

I have determined that the damage in certain areas of the territory of American Samoa resulting from Tropical Storm Gita during the period of February 7-12, 2018, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the "Stafford Act"). Therefore, I declare that such a major disaster exists in the territory of American Samoa.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses. You are authorized to provide Individual Assistance and Public Assistance in the designated areas and Hazard Mitigation throughout the territory. Direct Federal assistance is authorized. Consistent with the

requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation and Other Needs Assistance will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, with the exception of projects that meet the eligibility criteria for a higher Federal cost-sharing percentage under the Public Assistance Alternative Procedures Pilot Program for Debris Removal implemented pursuant to section 428 of the Stafford Act. Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Benigno Bern Ruiz, of FEMA is appointed to act as the

Federal Coordinating Officer for this major disaster.

The following areas of the territory of American Samoa have been designated as adversely affected by this major disaster:

The territory of American Samoa for Individual Assistance.

The territory of American Samoa for Public Assistance, including direct Federal assistance, under the Public Assistance program.

All areas within the territory of American Samoa are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018-07002 Filed 4-4-18; 8:45 am]

BILLING CODE 9111-23-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA-2018-0002; Internal Agency Docket No. FEMA-B-1813]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and

where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before July 5, 2018.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://www.fema.gov/preliminaryfloodhazarddata> and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA-B-1813, to Rick Sacbabit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbabit@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT: Rick Sacbabit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacbabit@fema.dhs.gov; or visit the FEMA Map Information eXchange (FMIX) online at https://www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Federal Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements.

The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at https://www.floodsrp.org/pdfs/srp_overview.pdf.

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location <https://www.fema.gov/preliminaryfloodhazarddata> and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: March 8, 2018.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Hamilton County, Nebraska and Incorporated Areas	
Project: 16-07-0767S Preliminary Dates: June 19, 2017 and December 11, 2017	
City of Aurora	City Hall, 905 13th Street, Aurora, NE 68818.
Unincorporated Areas of Hamilton County	Hamilton County Courthouse, 1111 13th Street, Aurora, NE 68818.
Village of Giltner	Village Office, 4021 North Commercial Avenue, Giltner, NE 68841.
Village of Hampton	Village Clerk's Office, 126 North 3rd Street, Hampton, NE 68843.
Village of Hordville	First State Bank, 201 Main Street, Hordville, NE 68846.
Village of Marquette	Village Office, 302 Marquis Avenue, Marquette, NE 68854.
Village of Stockham	Town Hall, 304 Main Street, Stockham, NE 68818.
Village of Trumbull	Village Office, 131 Main Street, Trumbull, NE 68980.

York County, Nebraska and Incorporated Areas	
Project: 16-07-0767S Preliminary Dates: July 12, 2017 and December 11, 2017	
City of Henderson	City Hall, 1044 North Main Street, Henderson, NE 68371.
City of York	Municipal Building, 100 East 4th Street, York, NE 68467.
Unincorporated Areas of York County	York County Courthouse, 510 North Lincoln Avenue, York, NE 68467.
Village of Benedict	Village Office, 206 Sherman Street, Benedict, NE 68316.
Village of Gresham	Village Office, 310 Elm Street, Gresham, NE 68367.
Village of McCool Junction	Village Office, 323 East M Street, McCool Junction, NE 68401.
Village of Thayer	Village of Thayer Clerk's Office, 401 4th Street, Waco, NE 68460.
Village of Waco	Village Office, 403 Midland Street, Waco, NE 68460.

[FR Doc. 2018-06978 Filed 4-4-18; 8:45 am]
 BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. DHS-2018-0008]

Privacy Act of 1974; System of Records

AGENCY: Department of Homeland Security.

ACTION: Notice of modified system of records.

SUMMARY: In accordance with the Privacy Act of 1974, the Department of Homeland Security (DHS) proposes to modify and reissue a current DHS system of records titled, "Department of Homeland Security/ALL-011 Biographies and Awards." This system of records allows DHS to collect and maintain biographical information about current and former DHS employees, contractors, and other non-DHS individuals that attend Departmental meetings or receive awards. Information pertaining to Departmental performance-based award recipients who are DHS employees is covered under "U.S. Office of Personnel Management/GOVT-2 Employee Performance File System Records".

DATES: Submit comments on or before May 7, 2018. This modified system will be effective upon publication. New or modified routine uses will become effective May 7, 2018.

ADDRESSES: You may submit comments, identified by docket number DHS-

2018-0008 by one of the following methods:

- *Federal e-Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* 202-343-4010.
- *Mail:* Philip S. Kaplan, Chief Privacy Officer, Privacy Office, Department of Homeland Security, Washington, DC 20528-0655.

Instructions: All submissions received must include the agency name and docket number DHS-2018-0008. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For general and privacy questions, please contact: Philip S. Kaplan, privacy@hq.dhs.gov, (202) 343-1717, Chief Privacy Officer, Privacy Office, Department of Homeland Security, Washington, DC 20528-0655.

SUPPLEMENTARY INFORMATION: DHS is modifying and reissuing this system of records notice (SORN) to (1) expand the purpose to include reviewing and distributing biographical information on DHS award recipients and attendees of conferences or other public meetings; (2) expand the categories of individuals to include all DHS employees and contractors as well as members of the public receiving awards from DHS or attending conferences or meetings; (3) expand the categories of records to

include individual contact information, nomination information, and identity documentation; (4) modify routine use (E) and add routine use (F) to comply with Office of Management and Budget (OMB) guidance pertaining to data breach procedures; (5) modify routine use (I) to expand the language to include awardee information disseminated to the public; and (6) add a new routine use (J) to encompass the release of information to assist in employment decisions or to issue clearances, licenses, or other benefits with which the information may be relevant. Finally, the Department has updated the retention schedule for records contained in this system. This notice also includes non-substantive changes to simplify the formatting and text of the previous published notice. This modified system will be included in DHS's inventory of record systems.

I. Background

DHS is modifying and reissuing this SORN to expand the purpose, categories of individuals, and categories of records, and to update the retention schedule. DHS is also expanding and adding to the routine uses, as well as making non-substantive changes to the text and formatting of this SORN to align with previously published DHS SORNs.

DHS is expanding the purpose of this system beyond collecting biographic and award information on DHS employees, DHS contractors, and other non-DHS individuals for disclosure to the media and public. DHS may use biographic information submitted by these individuals when considering or

publicly recognizing an individual for a DHS award. Biographic information collected may also be used as material in public meetings and conferences held for or by DHS employees and contractors. In addition, biographic information will also be collected voluntarily from non-DHS individuals to aid DHS in preparing for and conducting meetings with DHS and contractor employees.

DHS is modifying this SORN to expand and clarify the categories of records covered by this system. DHS may collect contact information and the professional background, education, qualifications, and academic achievements of non-DHS individuals who are award nominees or recipients and DHS employees or contractors nominated or awarded non-performance-based awards. Individuals may opt to include information beyond professional qualifications, such as hobbies and personal interests. All biographic information is submitted directly from the individual or is publicly available and confirmed by the individual. This system of records does not include information and records on Departmental performance-based award recipients who are DHS employees and contractors that are covered for separate purposes elsewhere in the **Federal Register** under “OPM/GOVT–2 Employee Performance File System Records,” (71 FR 35347 (June 19, 2006); 80 FR 74815 (Nov. 30, 2015)).

DHS is expanding and clarifying the categories of individuals of this system to include non-DHS individuals, DHS employees, and contractors who have provided biographic information for public meetings or conferences.

DHS is modifying routine use (E) and adding routine use (F) to conform to OMB Memorandum M–17–12 “Preparing for and Responding to a Breach of Personally Identifiable Information” (January 3, 2017). DHS is expanding the language of routine use (I) (disclosures to audiences) to include awardee information disseminated on public-facing websites, conferences, press releases, or other media. DHS is adding new routine use (J) to permit disclosures to an appropriate Federal, state, local, tribal, foreign, or international agency, if the information is relevant and necessary to a requesting agency’s decision concerning the hiring or retention of an individual, or issuance of a security clearance, license, contract, grant, delegation or designation of authority, or other benefit, or if the information is relevant and necessary to a DHS decision concerning the hiring or retention of an employee, the issuance of a security

clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, delegation or designation of authority, or other benefit and disclosure is appropriate to the proper performance of the official duties of the person making the request. All routine uses after routine use (F) have been renumbered to account for the additional routine use. Lastly, DHS is making non-substantive changes to the text and formatting of this SORN to align with previously published DHS SORNs.

Consistent with DHS’s information sharing mission, information covered by DHS/ALL–011 Department of Homeland Security Biographies and Awards system of records may be shared with other DHS Components that have a need to know the information to carry out their national security, law enforcement, immigration, intelligence, or other homeland security functions. In addition, DHS may share information with appropriate Federal, state, local, tribal, territorial, foreign, or international government agencies consistent with the routine uses set forth in this SORN.

This modified system will be included in DHS’s inventory of record systems.

II. Privacy Act

The Privacy Act embodies fair information practice principles in a statutory framework governing the means by which Federal Government agencies collect, maintain, use, and disseminate individuals’ records. The Privacy Act applies to information that is maintained in a “system of records.” A “system of records” is a group of any records under the control of an agency from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual. In the Privacy Act, an individual is defined to encompass U.S. citizens and lawful permanent residents. Additionally, the Judicial Redress Act (JRA) provides a covered person with a statutory right to make requests for access and amendment to covered records, as defined by the JRA, along with judicial review for denials of such requests. In addition, the JRA prohibits disclosures of covered records, except as otherwise permitted by the Privacy Act.

Below is the description of the DHS/ALL–011 Biographies and Awards System of Records.

In accordance with 5 U.S.C. 552a(r), DHS has provided a report of this

system of records to the OMB and to Congress.

SYSTEM NAME AND NUMBER

Department of Homeland Security/
ALL–011 Biographies and Awards.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Records are maintained at several Headquarters locations and in Component offices of the Department of Homeland Security, in both Washington, DC and field locations.

SYSTEM MANAGER(S):

For DHS Headquarters Components, the System Manager is the Deputy Chief Freedom of Information Act (FOIA) Officer, Department of Homeland Security, Washington, DC 20528. For Components of DHS, the System Manager can be found at <http://www.dhs.gov/foia> under “Contacts.”

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 4502 et seq., 5 U.S.C. 301, 5 U.S.C. 4103, 44 U.S.C. 3101, Public Law 107–296, Executive Order (E.O.) 9830, and E.O. 12107.

PURPOSE(S) OF THE SYSTEM:

The purpose of this system is to (1) collect and use biographic information on professional background, education, qualifications, and academic achievements of DHS employees, DHS contractors, and non-DHS individuals as background information to consider and publicly recognize DHS awardees and nominees; (2) aid DHS in setting up and conducting meetings with DHS and contractor employees; and (3) create information materials for publication outside of the Department as part of public events, conferences, and meetings.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Categories of individuals within this system include:

1. Current and former DHS employees, contractors, and other non-DHS individuals who are award nominators, recipients, or nominees. This category of individuals does not include DHS employees who receive Departmental employment performance-based awards as that information is covered for the purposes pursuant to “OPM/GOVT–2 Employee Performance File System Records.”

2. Non-DHS individuals who attend meetings with DHS personnel who provide biographic information to aid DHS in setting up and conducting such meetings.

CATEGORIES OF RECORDS IN THE SYSTEM:

- Full name;
- Date of birth;
- Place of birth;
- Photo;
- Work history and experience;
- Education;
- Military experience, if applicable;
- Civic duties and previous awards;
- Immigration history, to include date of naturalization;
- Hometown;
- Hobbies and personal interests;
- Job title;
- Name and job title of Supervisor;
- Personal and/or Professional phone numbers;
- Personal and/or Professional email addresses;
- Personal and/or Professional addresses;
- Employee/Contractor identification or badge number;
- Identity documentation;
- Professional qualifications, beyond what is described in OPM-approved position description;
- Type of award for which received/nominated for (e.g., President, Secretary, or Component Leadership);
- Name of the nominating official;
- Nomination materials including a summary of outstanding accomplishments, distinguished service, or extraordinary valor to make him or her eligible for an award;
- Published factual account of the nominee's accomplishments; and
- Other information directly relevant to the award that may be collected and distributed to the public.

RECORD SOURCE CATEGORIES:

Records are obtained directly from DHS employees, contractors, and non-DHS individuals who have submitted biographies to DHS or have been selected or nominated for a DHS award; the nominating individual or organization; or other sources available to the general public.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed outside DHS as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

A. To the Department of Justice (DOJ), including the U.S. Attorneys Offices, or other Federal agency conducting litigation or proceedings before any court, adjudicative, or administrative body, when it is relevant or necessary to

the litigation and one of the following is a party to the litigation or has an interest in such litigation:

1. DHS or any component thereof;
2. Any employee or former employee of DHS in his/her official capacity;
3. Any employee or former employee of DHS in his/her individual capacity, only when DOJ or DHS has agreed to represent the employee; or
4. The United States or any agency thereof.

B. To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of the individual to whom the record pertains.

C. To the National Archives and Records Administration (NARA) or General Services Administration pursuant to records management inspections being conducted under the authority of 44 U.S.C. 2904 and 2906.

D. To an agency or organization for the purpose of performing audit or oversight operations as authorized by law, but only such information as is necessary and relevant to such audit or oversight function.

E. To appropriate agencies, entities, and persons when (1) DHS suspects or has confirmed that there has been a breach of the system of records; (2) DHS has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, DHS (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with DHS's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

F. To another Federal agency or Federal entity, when DHS determines that information from this system of records is reasonably necessary and otherwise compatible with the purpose of collection to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

G. To contractors and their agents, grantees, experts, consultants, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for DHS, when necessary to accomplish an agency function related to this system of records. Individuals provided

information under this routine use are subject to the same Privacy Act requirements and limitations on disclosure as are applicable to DHS officers and employees.

H. To unions recognized as exclusive bargaining representatives of the individual under the Civil Service Reform Act of 1978, 5 U.S.C. 7111 and 7114, the Merit Systems Protection Board, arbitrators, the Federal Labor Relations Authority, and other parties responsible for the administration of the Federal labor-management program for the purpose of processing any corrective actions, grievances, conducting administrative hearings or appeals, or if needed in the performance of other authorized duties.

I. To audiences attending a particular event, conference, or meeting when the biographies of speakers are used as background in introductions or other informational material, and to the public when used to recognize individuals for awards not covered pursuant to an OPM SORN or used to recognize non-DHS individuals.

J. To an appropriate Federal, state, local, tribal, foreign, or international agency, if the information is relevant and necessary to a requesting agency's decision concerning the hiring or retention of an individual, or issuance of a security clearance, license, contract, grant, delegation or designation of authority, or other benefit, or if the information is relevant and necessary to a DHS decision concerning the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, delegation or designation of authority, or other benefit and disclosure is appropriate to the proper performance of the official duties of the person making the request.

K. To the news media and the public, with the approval of the Chief Privacy Officer in consultation with counsel, when there exists a legitimate public interest in the disclosure of the information, when disclosure is necessary to preserve confidence in the integrity of DHS, or when disclosure is necessary to demonstrate the accountability of DHS's officers, employees, or individuals covered by the system, except to the extent the Chief Privacy Officer determines that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

DHS stores records in this system electronically or on paper in secure facilities in a locked drawer behind a locked door. The records may be stored on magnetic disc, tape, and digital media.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

DHS retrieves records by name, job title, date of naturalization, award title, and location where the individual resides or works.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

DHS retains and disposes of records in accordance with NARA General Records Schedule (GRS) 2.2, item 30. Employee awards files (excluding records relating to Department-level awards and awards for non-DHS individuals) will be destroyed when two years old or two years after award is approved or disapproved, whichever is later, but longer retention is authorized if required for a business use. Individual Components may develop separate retention schedules in consultation with NARA. Records pertaining to Department-level awards and all awards for non-DHS individuals must be scheduled by submitting an SF 115, Request for Records Disposition Authority, to NARA. Records pertaining to biographies for meetings and speaking engagements are retained and disposed of in accordance with NARA GRS 6.4, item 10. Records will be destroyed when three years old, or no longer needed, whichever is later.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

DHS safeguards records in this system according to applicable rules and policies, including all applicable DHS automated systems security and access policies. DHS has imposed strict controls to minimize the risk of compromising the stored information. Access to the computer system containing the records in this system is limited to those individuals who have a need to know the information in furtherance of the performance of their official duties, and who have appropriate clearances or permissions.

RECORD ACCESS PROCEDURES:

Individuals seeking access to and notification of any record contained in this system of records, or seeking to contest its content, may submit a request in writing to the Chief Privacy Officer and Chief FOIA Officer, whose contact information can be found at <http://www.dhs.gov/foia> under

“Contacts Information.” If an individual believes more than one component maintains Privacy Act records concerning him or her, the individual may submit the request to the Chief Privacy Officer and Chief FOIA Officer, Department of Homeland Security, Washington, DC 20528–0655. Even if neither the Privacy Act nor the JRA provide a right of access, certain records about a person may be available under FOIA.

When an individual is seeking records about himself or herself from this system of records or any other Departmental system of records, the individual’s request must conform with the Privacy Act regulations set forth in 6 CFR part 5. The individual must first verify his/her identity, meaning that the individual must provide his/her full name, current address, and date and place of birth. The individual must sign the request, and the individual’s signature must either be notarized or submitted under 28 U.S.C. 1746, a law that permits statements to be made under penalty of perjury as a substitute for notarization. While no specific form is required, an individual may obtain forms for this purpose from the Chief Privacy Officer and Chief FOIA Officer, <http://www.dhs.gov/foia> or 1–866–431–0486. In addition, the individual should:

- Explain why the individual believes the Department would have information on him/her;
- Identify which component(s) of the Department the individual believes may have the information about him/her;
- Specify when the individual believes the records would have been created; and
- Provide any other information that will help the FOIA staff determine which DHS component agency may have responsive records;

If an individual’s request is seeking records pertaining to another living individual, the first individual must include a statement from the second individual certifying his/her agreement for the first individual to access his/her records. Without the above information, the component(s) may not be able to conduct an effective search, and the individual’s request may be denied due to lack of specificity or lack of compliance with applicable regulations.

CONTESTING RECORD PROCEDURES:

For records covered by the Privacy Act or covered JRA records, see “Record Access Procedures” above.

NOTIFICATION PROCEDURES:

See “Record Access Procedures.”

EXEMPTIONS PROMULGATED FOR THE SYSTEM:
None.**HISTORY:**

DHS/ALL–011 Department of Homeland Security Biographies and Awards, 73 FR 66654 (Nov. 10, 2008).

Philip S. Kaplan,

Chief Privacy Officer, Department of Homeland Security.

[FR Doc. 2018–06986 Filed 4–4–18; 8:45 am]

BILLING CODE 9110–9B–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6090–N–01]

Notice of Annual Factors for Determining Public Housing Agency Administrative Fees for the Section 8 Housing Choice Voucher, Mainstream, and Moderate Rehabilitation Programs

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: This Notice announces the monthly per unit fee rates for use in determining the on-going administrative fees for housing agencies administering the Housing Choice Voucher (HCV), 5 Year Mainstream, and Moderate Rehabilitation programs, including Single Room Occupancy, during calendar year (CY) 2018.

DATES: *Applicability Date:* January 1, 2018.

FOR FURTHER INFORMATION CONTACT:

Miguel A. Fontáñez, Director, Housing Voucher Financial Management Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, Room 4222, 451 Seventh Street SW, Washington, DC 20410–8000, telephone number 202–402–2934. (This is not a toll-free number). Hearing or speech impaired individuals may call TTY number 1–800–877–8337.

SUPPLEMENTARY INFORMATION:**A. Background**

This Notice provides the Department’s methodology used to determine the CY 2018 administrative fee rates by area, which the Office of Housing Voucher Programs (OHVP) will use to compensate public housing agencies (PHA) for administering the HCV programs.

B. CY 2018 Methodology

For CY 2018, in accordance with the Continuing Resolution (or

Appropriations Act superseding it after March 26, 2018), administrative fees will be earned on the basis of vouchers leased as of the first day of each month. This data will be extracted from the Voucher Management System (VMS) at the close of each reporting cycle and validated prior to use.

Two fee rates are provided for each PHA. The first rate, Column A, applies to the first 7200 voucher unit months leased in CY 2018. The second rate, Column B, applies to all remaining voucher unit months leased in CY 2018. In years prior to 2010, a Column C rate was also established, which applied to all voucher unit months leased in dwelling units owned by the PHA. For CY 2018, as in recent years, there are no Column C administrative fee rates. Fees for leasing HA-owned units will be earned in the same manner and at the same Column A and Column B rates as for all other Voucher leasing.

The fee rates established for CY 2018, using the standard procedures, in some cases resulted in fee rates lower than those established for CY 2017. In those cases, the affected PHAs are being held harmless at the CY 2017 fee rates.

The fee rates for each PHA are generally those rates covering the fee areas in which each PHA has the greatest proportion of its participants, based on Public Housing Information Center (PIC) data submitted by the PHA. In some cases, PHAs have participants in more than one fee area. If such a PHA so chooses, the PHA may request that the Department establish a blended fee rate schedule that will consider proportionately all areas in which participants are located. Once a blended rate schedule is established, it will be used to determine the PHA's fee eligibility for all months in CY 2018. The PHAs will be advised via the 2018 HCV Funding Implementation Notice of when they may apply for blended fee rates and the deadline date for submitting such requests.

PHAs that operate over a large geographic area, defined as multiple counties, may request a higher administrative fee rate if eligible under the circumstance which will be described in the CY 2018 HCV Funding Implementation Notice. This notice will advise the PHAs when to apply for higher fee rates and the deadline date for such requests.

Accordingly, the Department issues the monthly per voucher unit fee rates to be used to determine PHA administrative fee eligibility for the programs identified in this Notice. These fee rates are posted on HUD's website at: http://portal.hud.gov/hudportal/HUD?src=/program_offices/

public indian housing/programs/hcv., under Program Related Information.

Any questions concerning this Notice should be directed to the PHA's assigned representative at the Financial Management Center or to the Financial Management Division at *PIH.Financial.Management.Division@hud.gov.*

C. MTW Agencies

Where an MTW Agency has an alternative formula for calculating HCV Administrative Fees in Attachment A of their MTW Agreements, HUD will continue to calculate the HCV Administrative Fees in accordance with that MTW Agreement provision.

Dated: March 27, 2018.

Dominique Blom,

General Deputy Assistant Secretary for Public and Indian Housing.

PHA	Column A rate	Column B rate
AK901	96.19	89.78
AL001	65.11	60.77
AL002	66.13	61.73
AL004	64.25	59.97
AL005	66.56	62.12
AL006	64.25	59.97
AL007	64.25	59.97
AL008	63.00	58.80
AL011	63.00	58.80
AL012	64.25	59.97
AL014	63.00	58.80
AL047	66.15	61.75
AL048	64.25	59.97
AL049	64.25	59.97
AL050	64.25	59.97
AL052	63.00	58.80
AL053	63.00	58.80
AL054	64.25	59.97
AL060	63.00	58.80
AL061	64.25	59.97
AL063	65.11	60.77
AL068	64.25	59.97
AL069	65.11	60.77
AL072	65.11	60.77
AL073	63.16	58.94
AL075	63.00	58.80
AL077	64.25	59.97
AL086	65.11	60.77
AL090	63.00	58.80
AL091	63.00	58.80
AL099	63.00	58.80
AL105	63.00	58.80
AL107	63.00	58.80
AL112	63.00	58.80
AL114	63.00	58.80
AL115	63.00	58.80
AL116	63.00	58.80
AL118	63.00	58.80
AL121	63.00	58.80
AL124	63.16	58.94
AL125	65.11	60.77
AL129	64.25	59.97
AL131	64.25	59.97
AL138	64.25	59.97
AL139	64.25	59.97
AL152	64.25	59.97
AL154	63.00	58.80
AL155	63.00	58.80
AL160	63.00	58.80
AL165	67.09	62.63
AL169	66.13	61.73
AL171	63.00	58.80
AL172	64.25	59.97
AL174	63.00	58.80
AL177	63.00	58.80
AL181	63.00	58.80
AL192	63.00	58.80
AL202	66.13	61.73
AR002	69.40	64.78
AR003	63.61	59.37
AR004	69.40	64.78
AR006	69.40	64.78
AR010	60.90	56.84
AR012	60.90	56.84
AR015	62.37	58.21
AR016	60.90	56.84
AR017	63.61	59.37
AR020	60.90	56.84
AR024	64.89	60.56
AR031	63.61	59.37
AR033	60.90	56.84
AR034	63.61	59.37
AR035	60.90	56.84
AR037	60.90	56.84
AR039	60.90	56.84
AR041	69.40	64.78
AR042	63.61	59.37
AR045	60.90	56.84
AR052	60.90	56.84
AR059	60.90	56.84
AR066	60.90	56.84
AR068	60.90	56.84
AR082	60.90	56.84
AR104	63.61	59.37
AR117	60.90	56.84
AR121	60.90	56.84
AR131	63.61	59.37
AR135	60.90	56.84
AR152	60.90	56.84
AR161	60.90	56.84
AR163	63.61	59.37
AR166	60.90	56.84
AR170	69.40	64.78
AR175	69.40	64.78
AR176	60.90	56.84
AR177	60.90	56.84
AR181	63.61	59.37
AR194	63.61	59.37
AR197	60.90	56.84
AR200	60.90	56.84
AR210	60.90	56.84
AR211	60.90	56.84
AR213	60.90	56.84
AR214	60.90	56.84
AR215	60.90	56.84
AR219	69.40	64.78
AR223	60.90	56.84
AR224	60.90	56.84
AR225	60.90	56.84
AR232	63.61	59.37
AR240	60.90	56.84
AR241	63.66	59.42
AR247	60.90	56.84
AR252	69.40	64.78
AR257	60.90	56.84
AR264	64.89	60.56
AR265	60.90	56.84
AR266	60.90	56.84
AZ001	69.65	65.00
AZ003	69.65	65.00
AZ004	68.85	64.26

PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate
AZ005	69.65	65.00	CA077	108.39	101.15	CO921	73.82	68.90
AZ006	76.15	71.08	CA079	121.22	113.15	CT001	95.06	88.72
AZ008	55.29	51.60	CA082	121.22	113.15	CT002	101.89	95.11
AZ009	69.65	65.00	CA084	86.28	80.52	CT003	89.59	83.61
AZ010	69.65	65.00	CA085	118.23	110.36	CT004	98.76	92.17
AZ013	77.38	72.22	CA086	82.47	76.96	CT005	89.59	83.61
AZ021	69.65	65.00	CA088	118.23	110.36	CT006	80.63	75.25
AZ023	58.25	54.37	CA092	121.22	113.15	CT007	101.89	95.11
AZ025	68.85	64.26	CA093	121.22	113.15	CT008	89.59	83.61
AZ028	69.65	65.00	CA094	121.22	113.15	CT009	89.59	83.61
AZ031	69.65	65.00	CA096	84.47	78.83	CT010	79.11	73.83
AZ032	69.65	65.00	CA102	121.22	113.15	CT011	98.76	92.17
AZ033	68.85	64.26	CA103	121.22	113.15	CT013	89.59	83.61
AZ034	57.22	53.41	CA104	121.22	113.15	CT015	95.06	88.72
AZ035	77.38	72.22	CA105	121.22	113.15	CT017	95.06	88.72
AZ037	57.22	53.41	CA106	84.47	78.83	CT018	87.95	82.09
AZ041	76.15	71.08	CA108	108.39	101.15	CT019	101.89	95.11
AZ043	93.25	87.04	CA110	121.22	113.15	CT020	101.89	95.11
AZ045	57.29	53.47	CA111	121.22	113.15	CT023	89.59	83.61
AZ880	69.65	65.00	CA114	121.22	113.15	CT024	79.11	73.83
AZ901	76.15	71.08	CA116	108.39	101.15	CT026	89.59	83.61
CA001	121.22	113.15	CA117	121.22	113.15	CT027	95.06	88.72
CA002	121.22	113.15	CA118	121.22	113.15	CT028	89.59	83.61
CA003	121.22	113.15	CA119	121.22	113.15	CT029	98.76	92.17
CA004	121.22	113.15	CA120	121.22	113.15	CT030	95.06	88.72
CA005	92.06	85.92	CA121	121.22	113.15	CT031	79.11	73.83
CA006	84.47	78.83	CA123	121.22	113.15	CT032	89.59	83.61
CA007	92.06	85.92	CA125	105.24	98.22	CT033	89.59	83.61
CA008	92.38	86.22	CA126	121.22	113.15	CT036	89.59	83.61
CA010	121.22	113.15	CA128	92.06	85.92	CT038	89.59	83.61
CA011	121.22	113.15	CA131	105.24	98.22	CT039	89.59	83.61
CA014	121.22	113.15	CA132	108.39	101.15	CT040	89.59	83.61
CA019	96.71	90.27	CA136	121.22	113.15	CT041	89.59	83.61
CA021	118.37	110.46	CA143	87.90	82.04	CT042	98.76	92.17
CA022	96.71	90.27	CA144	80.05	74.72	CT047	80.63	75.25
CA023	79.37	74.08	CA149	92.06	85.92	CT048	89.59	83.61
CA024	88.34	82.46	CA151	92.06	85.92	CT049	89.59	83.61
CA026	88.95	83.01	CA155	108.39	101.15	CT051	89.59	83.61
CA027	96.71	90.27	CO001	73.82	68.90	CT052	95.06	88.72
CA028	84.47	78.83	CO002	68.19	63.64	CT053	89.59	83.61
CA030	78.77	73.53	CO005	76.47	71.37	CT058	79.11	73.83
CA031	121.22	113.15	CO006	65.46	61.09	CT061	79.11	73.83
CA032	121.22	113.15	CO016	83.77	78.18	CT063	98.76	92.17
CA033	104.44	97.46	CO019	73.82	68.90	CT067	98.76	92.17
CA035	121.22	113.15	CO024	65.46	61.09	CT068	89.59	83.61
CA039	87.90	82.04	CO028	68.87	64.28	CT901	89.59	83.61
CA041	105.24	98.22	CO031	65.46	61.09	DC001	111.97	104.51
CA043	81.18	75.76	CO034	79.38	74.10	DC880	111.97	104.51
CA044	92.06	85.92	CO035	68.45	63.89	DE001	88.71	82.80
CA048	69.66	65.02	CO036	73.82	68.90	DE002	77.88	72.69
CA052	121.22	113.15	CO040	101.08	94.35	DE003	88.71	82.80
CA053	76.24	71.15	CO041	79.38	74.10	DE005	88.71	82.80
CA055	105.24	98.22	CO043	76.47	71.37	DE901	77.88	72.69
CA056	121.22	113.15	CO045	65.46	61.09	FL001	70.87	66.15
CA058	121.22	113.15	CO048	73.82	68.90	FL002	74.82	69.83
CA059	121.22	113.15	CO049	73.82	68.90	FL003	74.82	69.83
CA060	121.22	113.15	CO050	73.82	68.90	FL004	78.15	72.93
CA061	80.05	74.72	CO051	86.36	80.60	FL005	101.53	94.77
CA062	121.22	113.15	CO052	73.82	68.90	FL007	75.01	70.01
CA063	108.39	101.15	CO057	73.82	68.90	FL008	82.12	76.64
CA064	104.94	97.94	CO058	73.82	68.90	FL009	79.29	74.00
CA065	105.24	98.22	CO061	83.77	78.18	FL010	95.07	88.73
CA066	105.24	98.22	CO070	83.77	78.18	FL011	62.28	58.12
CA067	121.22	113.15	CO071	68.87	64.28	FL013	103.66	96.76
CA068	121.22	113.15	CO072	73.82	68.90	FL015	66.59	62.15
CA069	84.47	78.83	CO079	76.47	71.37	FL017	101.53	94.77
CA070	73.26	68.38	CO087	101.08	94.35	FL018	60.83	56.78
CA071	121.22	113.15	CO090	68.45	63.89	FL019	72.14	67.35
CA072	121.22	113.15	CO095	96.65	90.21	FL020	72.14	67.35
CA073	105.24	98.22	CO101	65.46	61.09	FL021	79.29	74.00
CA074	121.22	113.15	CO103	79.38	74.10	FL022	75.01	70.01
CA075	121.22	113.15	CO888	68.19	63.64	FL023	82.12	76.64
CA076	118.37	110.46	CO911	73.82	68.90	FL024	75.01	70.01

PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate
FL025	72.14	67.35	GA237	81.15	75.73	IL028	67.27	62.78
FL026	62.28	58.12	GA264	81.15	75.73	IL030	64.46	60.16
FL028	95.07	88.73	GA269	81.15	75.73	IL032	71.51	66.75
FL030	70.87	66.15	GA285	66.56	62.12	IL034	65.88	61.49
FL031	60.29	56.27	GA901	81.15	75.73	IL035	71.51	66.75
FL032	61.32	57.22	GQ901	112.56	105.07	IL036	59.78	55.80
FL033	78.15	72.93	HI002	110.24	102.89	IL037	59.78	55.80
FL034	74.82	69.83	HI003	122.06	113.94	IL038	59.78	55.80
FL035	60.83	56.78	HI004	122.08	113.95	IL039	63.78	59.53
FL037	70.87	66.15	HI005	124.17	115.90	IL040	59.78	55.80
FL041	79.71	74.40	HI901	122.06	113.94	IL042	59.78	55.80
FL045	79.71	74.40	IA002	64.50	60.20	IL043	59.78	55.80
FL046	60.83	56.78	IA004	67.81	63.29	IL050	59.78	55.80
FL047	78.66	73.43	IA015	64.50	60.20	IL051	65.65	61.28
FL049	60.29	56.27	IA018	67.92	63.40	IL052	59.78	55.80
FL053	61.32	57.22	IA020	77.53	72.37	IL053	59.78	55.80
FL057	60.29	56.27	IA022	79.02	73.76	IL054	93.48	87.24
FL060	76.61	71.50	IA023	68.21	63.67	IL056	93.48	87.24
FL062	74.82	69.83	IA024	75.05	70.05	IL057	59.78	55.80
FL063	67.24	62.75	IA030	64.50	60.20	IL059	59.78	55.80
FL066	101.53	94.77	IA038	75.35	70.32	IL061	60.49	56.45
FL068	101.53	94.77	IA042	64.50	60.20	IL074	64.46	60.16
FL069	60.83	56.78	IA045	70.61	65.90	IL076	59.78	55.80
FL070	67.24	62.75	IA047	64.50	60.20	IL079	59.78	55.80
FL071	62.28	58.12	IA049	64.50	60.20	IL082	59.78	55.80
FL072	75.01	70.01	IA050	75.35	70.32	IL083	67.13	62.65
FL073	66.59	62.15	IA054	64.50	60.20	IL084	63.41	59.19
FL075	74.82	69.83	IA056	64.50	60.20	IL085	61.03	56.97
FL079	95.07	88.73	IA057	64.50	60.20	IL086	63.41	59.19
FL080	79.29	74.00	IA084	64.50	60.20	IL087	59.78	55.80
FL081	95.07	88.73	IA087	69.46	64.83	IL088	59.78	55.80
FL083	79.29	74.00	IA098	67.95	63.43	IL089	74.08	69.14
FL092	61.32	57.22	IA100	64.50	60.20	IL090	93.48	87.24
FL093	78.15	72.93	IA107	64.50	60.20	IL091	59.78	55.80
FL102	60.83	56.78	IA108	64.50	60.20	IL092	93.48	87.24
FL104	74.82	69.83	IA113	75.35	70.32	IL095	70.12	65.44
FL105	82.12	76.64	IA114	64.50	60.20	IL096	59.78	55.80
FL106	78.15	72.93	IA117	68.21	63.67	IL101	93.48	87.24
FL109	60.29	56.27	IA119	64.50	60.20	IL103	93.48	87.24
FL110	60.83	56.78	IA120	77.53	72.37	IL104	73.82	68.89
FL113	75.01	70.01	IA122	64.50	60.20	IL107	93.48	87.24
FL116	95.07	88.73	IA124	64.50	60.20	IL116	93.48	87.24
FL119	79.29	74.00	IA125	64.50	60.20	IL117	65.65	61.28
FL123	76.07	71.00	IA126	70.61	65.90	IL120	59.78	55.80
FL128	78.66	73.43	IA127	64.50	60.20	IL122	67.13	62.65
FL132	79.42	74.14	IA128	64.50	60.20	IL123	59.78	55.80
FL136	95.07	88.73	IA129	64.50	60.20	IL124	73.82	68.89
FL137	74.82	69.83	IA130	64.50	60.20	IL126	59.78	55.80
FL139	62.28	58.12	IA131	77.53	72.37	IL130	93.48	87.24
FL141	81.86	76.40	IA132	75.35	70.32	IL131	70.61	65.90
FL144	103.66	96.76	IA136	64.67	60.36	IL136	93.48	87.24
FL145	101.53	94.77	ID005	64.88	60.56	IL137	94.28	87.99
FL147	60.83	56.78	ID013	80.63	75.25	IL901	93.48	87.24
FL201	78.15	72.93	ID016	80.63	75.25	IN002	51.38	47.95
FL202	60.29	56.27	ID021	80.63	75.25	IN003	57.12	53.33
FL881	101.53	94.77	ID901	67.16	62.68	IN004	53.21	49.66
FL888	74.82	69.83	IL002	93.48	87.24	IN005	53.21	49.66
GA001	66.56	62.12	IL003	73.82	68.89	IN006	63.16	58.95
GA002	66.56	62.12	IL004	67.27	62.78	IN007	55.57	51.87
GA004	66.56	62.12	IL006	65.88	61.49	IN009	51.38	47.95
GA006	81.15	75.73	IL009	70.61	65.90	IN010	69.74	65.10
GA007	66.56	62.12	IL010	70.61	65.90	IN011	69.74	65.10
GA009	66.56	62.12	IL011	59.78	55.80	IN012	60.17	56.16
GA010	81.15	75.73	IL012	63.65	59.41	IN015	56.23	52.48
GA011	81.15	75.73	IL014	71.51	66.75	IN016	55.21	51.53
GA023	66.56	62.12	IL015	64.46	60.16	IN017	63.16	58.95
GA062	63.11	58.90	IL016	59.78	55.80	IN018	51.38	47.95
GA078	81.15	75.73	IL018	70.61	65.90	IN019	55.09	51.41
GA095	81.15	75.73	IL020	70.61	65.90	IN020	56.23	52.48
GA116	81.15	75.73	IL022	67.13	62.65	IN021	53.21	49.66
GA188	81.15	75.73	IL024	93.48	87.24	IN022	56.61	52.85
GA228	81.15	75.73	IL025	93.48	87.24	IN023	60.17	56.16
GA232	81.15	75.73	IL026	93.48	87.24	IN025	60.17	56.16

PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate
IN026	55.20	51.52	KY056	54.52	50.89	LA182	65.07	60.73
IN029	69.74	65.10	KY061	66.64	62.20	LA184	68.68	64.11
IN031	51.38	47.95	KY071	60.61	56.57	LA186	65.55	61.18
IN032	52.30	48.81	KY086	54.52	50.89	LA187	70.16	65.47
IN035	53.21	49.66	KY107	54.52	50.89	LA188	65.07	60.73
IN037	55.21	51.53	KY121	54.52	50.89	LA189	65.55	61.18
IN041	51.38	47.95	KY132	60.38	56.36	LA190	68.68	64.11
IN043	51.38	47.95	KY133	67.62	63.10	LA192	65.07	60.73
IN047	51.38	47.95	KY135	67.62	63.10	LA194	67.18	62.71
IN048	51.38	47.95	KY136	67.62	63.10	LA195	65.07	60.73
IN050	51.38	47.95	KY137	54.52	50.89	LA196	65.55	61.18
IN055	52.30	48.81	KY138	54.52	50.89	LA199	75.75	70.70
IN056	53.78	50.19	KY140	66.64	62.20	LA202	75.75	70.70
IN058	57.64	53.81	KY141	54.52	50.89	LA204	75.75	70.70
IN060	51.38	47.95	KY142	59.61	55.63	LA205	75.75	70.70
IN062	55.15	51.49	KY150	54.52	50.89	LA206	65.55	61.18
IN067	51.38	47.95	KY157	54.52	50.89	LA207	65.55	61.18
IN071	61.00	56.93	KY160	54.52	50.89	LA211	67.18	62.71
IN073	51.38	47.95	KY161	59.61	55.63	LA212	65.07	60.73
IN077	52.30	48.81	KY163	54.52	50.89	LA213	69.99	65.33
IN078	53.78	50.19	KY169	54.52	50.89	LA214	65.55	61.18
IN079	63.16	58.95	KY171	60.17	56.16	LA215	65.07	60.73
IN080	63.16	58.95	KY901	66.64	62.20	LA219	75.75	70.70
IN084	51.38	47.95	LA001	70.16	65.47	LA220	65.07	60.73
IN086	51.38	47.95	LA002	68.68	64.11	LA222	65.07	60.73
IN091	51.38	47.95	LA003	75.75	70.70	LA229	65.07	60.73
IN092	51.38	47.95	LA004	65.55	61.18	LA230	68.68	64.11
IN094	53.34	49.78	LA005	65.55	61.18	LA232	65.07	60.73
IN100	56.23	52.48	LA006	65.55	61.18	LA233	65.07	60.73
IN101	55.20	51.52	LA009	75.75	70.70	LA238	70.16	65.47
IN901	63.16	58.95	LA012	70.16	65.47	LA241	65.07	60.73
KS001	62.67	58.48	LA013	70.16	65.47	LA242	65.07	60.73
KS002	59.06	55.13	LA023	65.55	61.18	LA246	65.07	60.73
KS004	63.63	59.38	LA024	65.07	60.73	LA247	65.07	60.73
KS006	56.07	52.33	LA029	65.55	61.18	LA248	65.07	60.73
KS017	56.07	52.33	LA031	65.07	60.73	LA253	67.18	62.71
KS038	56.07	52.33	LA032	65.55	61.18	LA257	65.07	60.73
KS041	56.07	52.33	LA033	65.07	60.73	LA258	65.07	60.73
KS043	62.67	58.48	LA036	65.07	60.73	LA266	65.55	61.18
KS053	65.26	60.91	LA037	69.99	65.33	LA888	68.68	64.11
KS062	56.07	52.33	LA046	65.55	61.18	LA889	70.16	65.47
KS063	56.07	52.33	LA057	65.55	61.18	LA903	70.16	65.47
KS068	62.67	58.48	LA063	65.55	61.18	MA001	113.70	106.13
KS073	63.63	59.38	LA067	65.07	60.73	MA002	122.89	114.69
KS091	56.07	52.33	LA074	65.07	60.73	MA003	122.89	114.69
KS149	56.07	52.33	LA086	65.07	60.73	MA005	113.70	106.13
KS159	56.07	52.33	LA094	70.16	65.47	MA006	113.76	106.18
KS161	56.07	52.33	LA097	65.07	60.73	MA007	113.70	106.13
KS162	62.67	58.48	LA101	75.75	70.70	MA008	113.70	106.13
KS165	56.07	52.33	LA103	70.16	65.47	MA010	113.70	106.13
KS166	56.07	52.33	LA104	65.55	61.18	MA012	113.70	106.13
KS167	56.07	52.33	LA111	65.07	60.73	MA013	122.89	114.69
KS168	59.06	55.13	LA114	65.07	60.73	MA014	122.89	114.69
KS169	63.63	59.38	LA115	65.07	60.73	MA015	122.89	114.69
KS170	56.07	52.33	LA120	65.55	61.18	MA016	122.89	114.69
KY001	60.17	56.16	LA122	65.55	61.18	MA017	122.89	114.69
KY003	55.54	51.84	LA125	65.07	60.73	MA018	113.76	106.18
KY004	66.64	62.20	LA128	65.07	60.73	MA019	122.89	114.69
KY007	54.52	50.89	LA129	65.55	61.18	MA020	122.89	114.69
KY008	54.52	50.89	LA132	65.07	60.73	MA022	122.89	114.69
KY009	60.17	56.16	LA159	65.07	60.73	MA023	122.89	114.69
KY011	65.73	61.35	LA163	65.07	60.73	MA024	113.70	106.13
KY012	55.21	51.53	LA165	65.55	61.18	MA025	122.89	114.69
KY015	67.62	63.10	LA166	65.07	60.73	MA026	113.70	106.13
KY017	54.52	50.89	LA168	65.55	61.18	MA027	122.89	114.69
KY021	54.52	50.89	LA169	65.07	60.73	MA028	122.89	114.69
KY022	54.52	50.89	LA171	65.55	61.18	MA029	113.70	106.13
KY026	54.52	50.89	LA172	65.55	61.18	MA031	122.89	114.69
KY027	54.52	50.89	LA173	65.55	61.18	MA032	122.89	114.69
KY035	54.52	50.89	LA174	65.55	61.18	MA033	122.89	114.69
KY040	54.52	50.89	LA178	65.55	61.18	MA034	113.70	106.13
KY047	54.52	50.89	LA179	65.55	61.18	MA035	113.70	106.13
KY053	54.52	50.89	LA181	70.16	65.47	MA036	122.89	114.69

PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate
MA037	113.70	106.13	MA134	122.89	114.69	MI023	54.08	50.47
MA039	113.70	106.13	MA135	122.89	114.69	MI027	65.52	61.15
MA040	122.89	114.69	MA138	123.18	114.98	MI030	53.97	50.37
MA041	113.70	106.13	MA139	113.70	106.13	MI031	61.85	57.72
MA042	122.89	114.69	MA140	122.89	114.69	MI032	57.11	53.31
MA043	113.70	106.13	MA147	122.89	114.69	MI035	59.05	55.12
MA044	122.89	114.69	MA154	122.89	114.69	MI036	53.97	50.37
MA045	122.89	114.69	MA155	122.89	114.69	MI037	65.52	61.15
MA046	123.18	114.98	MA165	122.89	114.69	MI038	56.62	52.86
MA047	123.18	114.98	MA170	113.76	106.18	MI039	65.52	61.15
MA048	122.89	114.69	MA172	113.70	106.13	MI040	65.52	61.15
MA050	113.70	106.13	MA174	122.89	114.69	MI044	65.52	61.15
MA051	113.70	106.13	MA180	123.18	114.98	MI045	65.52	61.15
MA053	122.89	114.69	MA181	123.18	114.98	MI047	53.97	50.37
MA054	122.89	114.69	MA188	113.70	106.13	MI048	65.52	61.15
MA055	122.89	114.69	MA880	122.89	114.69	MI049	53.97	50.37
MA056	122.89	114.69	MA881	122.89	114.69	MI050	53.97	50.37
MA057	122.89	114.69	MA882	113.70	106.13	MI051	65.52	61.15
MA059	122.89	114.69	MA883	122.89	114.69	MI052	65.52	61.15
MA060	113.70	106.13	MA901	122.89	114.69	MI055	65.52	61.15
MA061	122.89	114.69	MD001	82.41	76.90	MI058	62.82	58.63
MA063	122.89	114.69	MD002	82.41	76.90	MI059	65.52	61.15
MA065	122.89	114.69	MD003	111.97	104.51	MI060	57.89	54.02
MA066	113.70	106.13	MD004	111.97	104.51	MI061	58.26	54.38
MA067	122.89	114.69	MD006	64.64	60.32	MI063	53.97	50.37
MA069	122.89	114.69	MD007	111.97	104.51	MI064	78.06	72.86
MA070	122.89	114.69	MD009	62.31	58.16	MI066	61.85	57.72
MA072	122.89	114.69	MD014	74.06	69.12	MI070	57.89	54.02
MA073	122.89	114.69	MD015	111.97	104.51	MI073	61.85	57.72
MA074	122.89	114.69	MD016	88.71	82.80	MI074	58.26	54.38
MA075	122.89	114.69	MD018	82.41	76.90	MI080	59.91	55.92
MA076	113.70	106.13	MD019	74.76	69.76	MI084	57.89	54.02
MA077	113.70	106.13	MD021	93.48	87.24	MI087	57.89	54.02
MA078	113.70	106.13	MD022	111.97	104.51	MI089	65.52	61.15
MA079	122.89	114.69	MD023	82.41	76.90	MI093	61.85	57.72
MA080	113.70	106.13	MD024	111.97	104.51	MI094	53.97	50.37
MA081	113.70	106.13	MD025	82.41	76.90	MI096	65.52	61.15
MA082	113.70	106.13	MD027	82.41	76.90	MI097	65.52	61.15
MA084	113.70	106.13	MD028	64.64	60.32	MI100	65.52	61.15
MA085	113.70	106.13	MD029	88.71	82.80	MI112	53.97	50.37
MA086	113.70	106.13	MD032	82.41	76.90	MI115	61.85	57.72
MA087	113.70	106.13	MD033	82.41	76.90	MI117	53.97	50.37
MA088	113.70	106.13	MD034	82.41	76.90	MI119	53.97	50.37
MA089	122.89	114.69	MD901	111.97	104.51	MI120	57.11	53.31
MA090	122.89	114.69	ME001	63.50	59.26	MI121	58.26	54.38
MA091	122.89	114.69	ME002	63.50	59.26	MI132	53.97	50.37
MA092	122.89	114.69	ME003	101.09	94.36	MI139	65.52	61.15
MA093	122.89	114.69	ME004	63.50	59.26	MI157	65.52	61.15
MA094	114.15	106.54	ME005	72.34	67.51	MI167	62.82	58.63
MA095	123.18	114.98	ME006	77.30	72.14	MI168	62.82	58.63
MA096	114.15	106.54	ME007	72.34	67.51	MI178	53.97	50.37
MA098	122.89	114.69	ME008	66.76	62.30	MI186	54.08	50.47
MA099	122.89	114.69	ME009	73.43	68.54	MI194	62.82	58.63
MA100	113.70	106.13	ME011	88.93	83.00	MI198	61.85	57.72
MA101	122.89	114.69	ME015	101.09	94.36	MI880	62.82	58.63
MA105	113.70	106.13	ME018	73.43	68.54	MI901	65.52	61.15
MA106	113.70	106.13	ME019	81.02	75.60	MN001	87.93	82.07
MA107	113.70	106.13	ME020	101.09	94.36	MN002	87.93	82.07
MA108	113.70	106.13	ME021	73.43	68.54	MN003	65.04	60.71
MA109	122.89	114.69	ME025	63.50	59.26	MN006	60.79	56.74
MA110	123.18	114.98	ME027	65.18	60.84	MN007	65.04	60.71
MA111	122.89	114.69	ME028	88.93	83.00	MN008	59.95	55.95
MA112	122.89	114.69	ME030	66.76	62.30	MN009	59.95	55.95
MA116	122.89	114.69	ME901	62.33	58.17	MN018	59.95	55.95
MA117	122.89	114.69	MI001	65.52	61.15	MN021	73.01	68.14
MA118	122.89	114.69	MI003	65.52	61.15	MN032	59.95	55.95
MA119	122.89	114.69	MI005	65.52	61.15	MN034	59.95	55.95
MA121	122.89	114.69	MI006	56.03	52.29	MN037	59.95	55.95
MA122	122.89	114.69	MI008	65.52	61.15	MN038	67.00	62.53
MA123	113.70	106.13	MI009	56.40	52.63	MN049	59.95	55.95
MA125	122.89	114.69	MI010	57.11	53.31	MN063	65.32	60.97
MA127	113.70	106.13	MI019	53.97	50.37	MN067	87.93	82.07
MA133	122.89	114.69	MI020	53.97	50.37	MN073	65.04	60.71

PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate
MN077	65.40	61.05	MO188	61.74	57.62	NC071	62.69	58.52
MN085	59.95	55.95	MO190	61.74	57.62	NC072	66.09	61.69
MN090	59.95	55.95	MO192	61.74	57.62	NC075	60.35	56.32
MN101	59.95	55.95	MO193	62.67	58.48	NC077	60.35	56.32
MN107	59.95	55.95	MO196	62.67	58.48	NC081	65.90	61.52
MN128	59.95	55.95	MO197	62.67	58.48	NC087	63.68	59.43
MN144	87.93	82.07	MO198	61.74	57.62	NC089	60.35	56.32
MN147	87.93	82.07	MO199	64.46	60.16	NC098	63.68	59.43
MN151	72.80	67.96	MO200	61.74	57.62	NC102	66.37	61.93
MN152	87.93	82.07	MO203	61.74	57.62	NC104	76.08	71.00
MN153	59.95	55.95	MO204	62.67	58.48	NC118	60.35	56.32
MN154	59.95	55.95	MO205	64.46	60.16	NC120	76.08	71.00
MN158	73.01	68.14	MO206	61.74	57.62	NC134	66.37	61.93
MN161	62.90	58.70	MO207	61.74	57.62	NC137	63.68	59.43
MN163	87.93	82.07	MO209	61.74	57.62	NC138	60.35	56.32
MN164	73.01	68.14	MO210	62.67	58.48	NC139	60.35	56.32
MN166	59.95	55.95	MO212	61.74	57.62	NC140	63.68	59.43
MN167	65.32	60.97	MO213	62.67	58.48	NC141	60.35	56.32
MN168	62.90	58.70	MO215	61.74	57.62	NC144	63.68	59.43
MN169	59.95	55.95	MO216	61.74	57.62	NC145	60.35	56.32
MN170	87.93	82.07	MO217	61.74	57.62	NC146	60.35	56.32
MN171	61.92	57.78	MO227	64.46	60.16	NC147	63.68	59.43
MN172	67.00	62.53	MS004	62.44	58.28	NC149	60.35	56.32
MN173	59.95	55.95	MS005	65.02	60.69	NC150	60.35	56.32
MN174	59.95	55.95	MS006	62.44	58.28	NC151	60.58	56.54
MN176	59.95	55.95	MS016	64.89	60.56	NC152	63.68	59.43
MN177	59.95	55.95	MS019	62.44	58.28	NC155	60.35	56.32
MN178	62.90	58.70	MS030	62.44	58.28	NC159	67.09	62.63
MN179	59.95	55.95	MS040	65.02	60.69	NC160	60.35	56.32
MN180	59.95	55.95	MS057	62.44	58.28	NC161	60.35	56.32
MN182	59.95	55.95	MS058	76.73	71.60	NC163	63.44	59.21
MN184	87.93	82.07	MS095	62.44	58.28	NC164	76.08	71.00
MN188	59.95	55.95	MS103	76.73	71.60	NC165	60.35	56.32
MN190	59.95	55.95	MS107	62.44	58.28	NC166	65.90	61.52
MN191	59.95	55.95	MS128	62.44	58.28	NC167	61.47	57.38
MN192	59.95	55.95	MS301	65.02	60.69	NC173	63.68	59.43
MN193	67.36	62.88	MT001	83.63	78.06	NC175	63.68	59.43
MN197	59.95	55.95	MT002	74.04	69.12	NC901	60.35	56.32
MN200	59.95	55.95	MT003	69.28	64.65	ND001	73.01	68.14
MN203	62.90	58.70	MT004	80.55	75.18	ND002	73.01	68.14
MN212	87.93	82.07	MT006	65.26	60.92	ND003	73.01	68.14
MN216	87.93	82.07	MT015	70.71	65.99	ND009	73.01	68.14
MN219	65.32	60.97	MT033	75.28	70.25	ND010	73.01	68.14
MN220	65.40	61.05	MT036	70.71	65.99	ND011	73.01	68.14
MN801	87.93	82.07	MT901	83.63	78.06	ND012	73.01	68.14
MN802	87.93	82.07	NC001	63.68	59.43	ND013	73.01	68.14
MN803	87.93	82.07	NC002	76.08	71.00	ND014	73.01	68.14
MO001	64.46	60.16	NC003	69.77	65.11	ND015	73.01	68.14
MO002	62.67	58.48	NC004	60.35	56.32	ND016	73.01	68.14
MO003	61.74	57.62	NC006	65.90	61.52	ND017	73.01	68.14
MO004	64.46	60.16	NC007	63.68	59.43	ND019	73.01	68.14
MO006	64.46	60.16	NC008	69.77	65.11	ND021	73.01	68.14
MO007	61.74	57.62	NC009	64.73	60.41	ND022	73.01	68.14
MO008	61.74	57.62	NC011	65.90	61.52	ND024	73.01	68.14
MO009	61.74	57.62	NC012	65.90	61.52	ND025	73.01	68.14
MO010	61.74	57.62	NC013	76.08	71.00	ND026	73.01	68.14
MO014	61.74	57.62	NC014	60.35	56.32	ND028	73.01	68.14
MO016	61.74	57.62	NC015	63.68	59.43	ND030	73.01	68.14
MO017	62.67	58.48	NC018	60.35	56.32	ND031	73.01	68.14
MO030	62.67	58.48	NC019	63.68	59.43	ND035	73.01	68.14
MO037	61.74	57.62	NC020	60.35	56.32	ND036	73.01	68.14
MO040	61.74	57.62	NC021	76.08	71.00	ND037	73.01	68.14
MO053	62.67	58.48	NC022	63.68	59.43	ND038	73.01	68.14
MO058	61.74	57.62	NC025	60.35	56.32	ND039	73.01	68.14
MO064	61.74	57.62	NC032	60.35	56.32	ND040	73.01	68.14
MO065	61.74	57.62	NC035	60.91	56.85	ND044	73.01	68.14
MO072	61.74	57.62	NC039	62.69	58.52	ND049	73.01	68.14
MO074	61.74	57.62	NC050	63.44	59.21	ND052	73.01	68.14
MO107	61.74	57.62	NC056	67.09	62.63	ND054	73.01	68.14
MO129	61.74	57.62	NC057	69.77	65.11	ND055	73.01	68.14
MO133	61.74	57.62	NC059	65.90	61.52	ND057	73.01	68.14
MO145	61.74	57.62	NC065	69.77	65.11	ND070	73.01	68.14
MO149	61.74	57.62	NC070	66.37	61.93	ND901	73.01	68.14

PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate
NE001	68.21	63.67	NJ047	110.00	102.68	NY002	67.27	62.80
NE002	67.32	62.84	NJ048	107.69	100.51	NY003	112.04	104.58
NE003	67.18	62.70	NJ049	87.32	81.50	NY005	97.39	90.89
NE004	67.18	62.70	NJ050	107.42	100.24	NY006	65.89	61.51
NE010	67.18	62.70	NJ051	88.71	82.80	NY009	78.22	73.00
NE041	67.18	62.70	NJ052	107.42	100.24	NY012	78.22	73.00
NE078	67.18	62.70	NJ054	107.69	100.51	NY015	78.22	73.00
NE083	67.18	62.70	NJ055	110.00	102.68	NY016	68.25	63.70
NE094	67.18	62.70	NJ056	107.69	100.51	NY017	59.88	55.89
NE100	67.18	62.70	NJ058	88.71	82.80	NY018	63.48	59.25
NE104	67.18	62.70	NJ059	90.83	84.79	NY019	65.89	61.51
NE114	67.18	62.70	NJ060	107.69	100.51	NY020	78.22	73.00
NE120	67.18	62.70	NJ061	87.32	81.50	NY021	69.13	64.52
NE123	67.18	62.70	NJ063	87.32	81.50	NY022	78.22	73.00
NE141	67.18	62.70	NJ065	107.69	100.51	NY023	112.04	104.58
NE143	67.18	62.70	NJ066	107.42	100.24	NY025	78.22	73.00
NE150	67.18	62.70	NJ067	110.00	102.68	NY027	71.97	67.18
NE153	68.21	63.67	NJ068	107.42	100.24	NY028	78.22	73.00
NE157	67.18	62.70	NJ070	110.00	102.68	NY033	78.22	73.00
NE174	68.21	63.67	NJ071	110.00	102.68	NY034	65.89	61.51
NE175	67.92	63.40	NJ073	88.71	82.80	NY035	112.04	104.58
NE179	67.18	62.70	NJ074	88.71	82.80	NY038	112.04	104.58
NE180	67.92	63.40	NJ075	110.00	102.68	NY041	82.34	76.85
NE181	67.18	62.70	NJ077	91.68	85.57	NY042	112.04	104.58
NE182	67.18	62.70	NJ081	107.69	100.51	NY044	82.34	76.85
NH001	90.88	84.82	NJ083	91.68	85.57	NY045	88.09	82.21
NH002	96.56	90.11	NJ084	110.00	102.68	NY048	56.80	53.01
NH003	94.11	87.84	NJ086	107.42	100.24	NY049	100.10	93.43
NH004	94.11	87.84	NJ088	107.42	100.24	NY050	112.04	104.58
NH005	102.87	96.01	NJ089	110.00	102.68	NY051	100.10	93.43
NH006	94.11	87.84	NJ090	110.00	102.68	NY054	76.93	71.81
NH007	81.03	75.62	NJ092	107.42	100.24	NY057	112.04	104.58
NH008	94.11	87.84	NJ095	107.69	100.51	NY059	65.89	61.51
NH009	83.65	78.06	NJ097	110.00	102.68	NY060	72.75	67.90
NH010	96.13	89.72	NJ099	107.42	100.24	NY061	65.57	61.20
NH011	73.74	68.83	NJ102	107.42	100.24	NY062	100.10	93.43
NH012	78.55	73.32	NJ105	107.42	100.24	NY065	66.43	62.01
NH013	94.11	87.84	NJ106	110.00	102.68	NY066	66.94	62.49
NH014	94.11	87.84	NJ108	107.42	100.24	NY067	63.36	59.13
NH015	73.74	68.83	NJ109	107.42	100.24	NY068	62.07	57.93
NH016	73.74	68.83	NJ110	110.00	102.68	NY070	67.27	62.80
NH022	113.70	106.13	NJ112	110.00	102.68	NY071	74.22	69.27
NH888	96.56	90.11	NJ113	107.42	100.24	NY073	74.05	69.12
NH901	90.88	84.82	NJ114	110.00	102.68	NY077	112.04	104.58
NJ002	107.42	100.24	NJ118	88.71	82.80	NY079	74.05	69.12
NJ003	107.42	100.24	NJ204	88.71	82.80	NY084	97.39	90.89
NJ004	91.68	85.57	NJ212	105.54	98.50	NY085	112.04	104.58
NJ006	110.00	102.68	NJ214	107.69	100.51	NY086	112.04	104.58
NJ007	107.69	100.51	NJ880	107.69	100.51	NY087	61.05	56.97
NJ008	107.69	100.51	NJ881	110.00	102.68	NY088	112.04	104.58
NJ009	91.68	85.57	NJ882	107.42	100.24	NY089	82.34	76.85
NJ010	88.71	82.80	NJ902	88.71	82.80	NY091	67.27	62.80
NJ011	110.00	102.68	NJ912	107.42	100.24	NY094	112.04	104.58
NJ012	91.68	85.57	NM001	77.12	71.98	NY098	72.75	67.90
NJ013	110.00	102.68	NM002	59.70	55.72	NY102	71.97	67.18
NJ014	90.83	84.79	NM003	61.21	57.13	NY103	88.09	82.21
NJ015	91.68	85.57	NM006	77.15	71.99	NY107	71.97	67.18
NJ021	110.00	102.68	NM009	91.27	85.18	NY109	65.89	61.51
NJ022	110.00	102.68	NM020	60.41	56.37	NY110	97.39	90.89
NJ023	107.42	100.24	NM033	59.70	55.72	NY111	112.04	104.58
NJ025	107.42	100.24	NM039	59.70	55.72	NY113	112.04	104.58
NJ026	91.68	85.57	NM050	91.27	85.18	NY114	97.39	90.89
NJ030	91.68	85.57	NM057	77.12	71.98	NY117	112.04	104.58
NJ032	107.42	100.24	NM061	59.70	55.72	NY120	112.04	104.58
NJ033	110.00	102.68	NM063	60.41	56.37	NY121	112.04	104.58
NJ035	110.00	102.68	NM066	75.90	70.83	NY123	112.04	104.58
NJ036	91.68	85.57	NM067	59.70	55.72	NY125	100.10	93.43
NJ037	107.42	100.24	NM077	77.12	71.98	NY127	112.04	104.58
NJ039	107.42	100.24	NM088	63.66	59.42	NY128	112.04	104.58
NJ042	110.00	102.68	NV001	80.68	75.30	NY130	112.04	104.58
NJ043	110.00	102.68	NV018	90.62	84.59	NY132	112.04	104.58
NJ044	110.00	102.68	NV905	80.68	75.30	NY134	100.10	93.43
NJ046	107.69	100.51	NY001	71.97	67.18	NY137	100.10	93.43

PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate
NY138	97.39	90.89	OH009	57.33	53.51	OK033	61.53	57.43
NY141	112.04	104.58	OH010	57.33	53.51	OK044	60.69	56.64
NY146	112.04	104.58	OH012	69.83	65.16	OK062	60.69	56.64
NY147	112.04	104.58	OH014	60.56	56.52	OK067	60.69	56.64
NY148	97.39	90.89	OH015	67.62	63.10	OK073	61.53	57.43
NY149	112.04	104.58	OH016	59.17	55.23	OK095	62.39	58.23
NY151	112.04	104.58	OH018	59.17	55.23	OK096	60.69	56.64
NY152	112.04	104.58	OH019	59.61	55.63	OK099	60.69	56.64
NY154	112.04	104.58	OH020	57.33	53.51	OK111	60.69	56.64
NY158	100.10	93.43	OH021	61.68	57.57	OK118	60.69	56.64
NY159	112.04	104.58	OH022	61.68	57.57	OK139	63.25	59.04
NY160	97.39	90.89	OH024	57.33	53.51	OK142	61.53	57.43
NY165	112.04	104.58	OH025	69.83	65.16	OK146	60.69	56.64
NY402	69.50	64.86	OH026	58.28	54.39	OK148	62.39	58.23
NY403	56.54	52.77	OH027	69.83	65.16	OK901	63.25	59.04
NY404	67.27	62.80	OH028	61.05	56.98	OR001	80.90	75.49
NY405	67.27	62.80	OH029	67.66	63.14	OR002	80.90	75.49
NY406	82.34	76.85	OH030	57.33	53.51	OR003	82.60	77.10
NY408	78.22	73.00	OH031	68.69	64.11	OR005	76.87	71.75
NY409	67.27	62.80	OH032	57.91	54.05	OR006	92.96	86.77
NY413	72.75	67.90	OH033	57.33	53.51	OR007	79.03	73.76
NY416	78.22	73.00	OH034	57.91	54.05	OR008	86.85	81.06
NY417	65.89	61.51	OH035	57.33	53.51	OR011	86.85	81.06
NY421	78.22	73.00	OH036	57.60	53.76	OR014	86.85	81.06
NY422	78.22	73.00	OH037	57.33	53.51	OR015	92.35	86.20
NY424	78.22	73.00	OH038	67.62	63.10	OR016	80.90	75.49
NY427	78.22	73.00	OH039	57.33	53.51	OR017	75.44	70.42
NY428	78.22	73.00	OH040	57.33	53.51	OR019	82.12	76.63
NY430	78.22	73.00	OH041	57.33	53.51	OR020	82.60	77.10
NY431	78.22	73.00	OH042	69.83	65.16	OR022	80.90	75.49
NY433	56.80	53.01	OH043	66.23	61.81	OR026	83.61	78.03
NY443	65.89	61.51	OH044	60.15	56.13	OR027	75.44	70.42
NY447	78.22	73.00	OH045	57.33	53.51	OR028	80.90	75.49
NY449	67.27	62.80	OH046	57.33	53.51	OR031	84.14	78.54
NY501	78.22	73.00	OH047	57.33	53.51	OR032	79.03	73.76
NY503	78.22	73.00	OH049	67.62	63.10	OR034	89.29	83.34
NY504	71.97	67.18	OH050	57.33	53.51	PA001	61.91	57.78
NY505	68.25	63.70	OH053	57.33	53.51	PA002	88.71	82.80
NY512	78.22	73.00	OH054	59.75	55.76	PA003	60.02	56.02
NY513	78.22	73.00	OH056	57.33	53.51	PA004	75.55	70.51
NY516	78.22	73.00	OH058	57.33	53.51	PA005	61.91	57.78
NY519	78.22	73.00	OH059	66.23	61.81	PA006	61.91	57.78
NY521	71.97	67.18	OH060	57.33	53.51	PA007	88.71	82.80
NY522	61.05	56.97	OH061	58.66	54.74	PA008	77.32	72.16
NY527	71.97	67.18	OH062	61.68	57.57	PA009	73.68	68.76
NY529	88.09	82.21	OH063	57.33	53.51	PA010	61.91	57.78
NY530	72.75	67.90	OH066	57.33	53.51	PA011	75.55	70.51
NY532	78.22	73.00	OH067	57.33	53.51	PA012	88.71	82.80
NY534	65.89	61.51	OH069	57.33	53.51	PA013	75.16	70.15
NY535	78.22	73.00	OH070	66.23	61.81	PA014	61.91	57.78
NY538	78.22	73.00	OH071	69.40	64.78	PA015	61.91	57.78
NY541	62.07	57.93	OH072	57.33	53.51	PA016	68.56	63.99
NY552	65.89	61.51	OH073	69.83	65.16	PA017	61.91	57.78
NY557	78.22	73.00	OH074	58.94	55.01	PA018	61.91	57.78
NY561	78.22	73.00	OH075	57.33	53.51	PA019	63.53	59.30
NY562	78.22	73.00	OH076	57.33	53.51	PA020	69.75	65.10
NY564	78.22	73.00	OH077	57.33	53.51	PA021	63.53	59.30
NY630	78.22	73.00	OH078	57.33	53.51	PA022	70.97	66.23
NY888	112.04	104.58	OH079	66.23	61.81	PA023	88.71	82.80
NY889	59.88	55.89	OH080	58.73	54.81	PA024	75.55	70.51
NY891	112.04	104.58	OH081	59.17	55.23	PA026	62.95	58.74
NY892	112.04	104.58	OH082	57.48	53.64	PA027	59.66	55.67
NY895	112.04	104.58	OH083	66.23	61.81	PA028	80.57	75.21
NY904	112.04	104.58	OH085	69.40	64.78	PA029	64.45	60.15
NY912	67.27	62.80	OH086	57.33	53.51	PA030	60.02	56.02
OH001	66.23	61.81	OH880	69.83	65.16	PA031	65.42	61.06
OH002	60.15	56.13	OH882	69.83	65.16	PA032	63.14	58.92
OH003	69.83	65.16	OK002	63.25	59.04	PA033	62.95	58.74
OH004	67.62	63.10	OK005	61.53	57.43	PA034	67.50	62.99
OH005	61.68	57.57	OK006	60.69	56.64	PA035	77.32	72.16
OH006	69.40	64.78	OK024	60.69	56.64	PA036	78.53	73.30
OH007	68.69	64.11	OK027	60.69	56.64	PA037	68.56	63.99
OH008	60.15	56.13	OK032	60.69	56.64	PA038	60.02	56.02

PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate
PA039	72.72	67.87	RQ006	79.99	74.65	RQ083	79.99	74.65
PA041	62.80	58.61	RQ007	74.42	69.46	RQ901	79.99	74.65
PA042	60.02	56.02	RQ008	79.99	74.65	RQ911	79.99	74.65
PA043	60.02	56.02	RQ009	74.42	69.46	SC001	69.37	64.74
PA044	60.02	56.02	RQ010	74.42	69.46	SC002	70.12	65.44
PA045	63.50	59.25	RQ011	79.99	74.65	SC003	64.01	59.74
PA046	88.71	82.80	RQ012	74.42	69.46	SC004	64.01	59.74
PA047	60.02	56.02	RQ013	79.99	74.65	SC005	64.01	59.74
PA048	73.77	68.85	RQ014	79.99	74.65	SC007	66.56	62.12
PA050	61.28	57.21	RQ015	79.99	74.65	SC008	64.01	59.74
PA051	88.71	82.80	RQ016	79.99	74.65	SC015	62.29	58.14
PA052	77.32	72.16	RQ017	74.42	69.46	SC016	64.01	59.74
PA053	63.50	59.25	RQ018	74.42	69.46	SC018	64.01	59.74
PA054	62.13	57.97	RQ019	79.99	74.65	SC019	64.01	59.74
PA055	63.50	59.25	RQ020	81.73	76.28	SC020	64.01	59.74
PA056	60.75	56.70	RQ021	79.99	74.65	SC021	62.29	58.14
PA057	60.02	56.02	RQ022	79.99	74.65	SC022	69.77	65.11
PA058	62.95	58.74	RQ023	79.99	74.65	SC023	64.01	59.74
PA059	60.75	56.70	RQ024	79.99	74.65	SC024	69.37	64.74
PA060	63.50	59.25	RQ025	79.99	74.65	SC025	64.01	59.74
PA061	63.50	59.25	RQ026	74.42	69.46	SC026	65.32	60.96
PA063	63.50	59.25	RQ027	79.99	74.65	SC027	64.01	59.74
PA064	61.28	57.21	RQ028	79.99	74.65	SC028	62.29	58.14
PA065	63.50	59.25	RQ029	74.42	69.46	SC029	64.01	59.74
PA067	75.55	70.51	RQ030	74.42	69.46	SC030	62.29	58.14
PA068	61.28	57.21	RQ031	74.42	69.46	SC031	62.29	58.14
PA069	65.42	61.06	RQ032	79.99	74.65	SC032	64.01	59.74
PA071	73.68	68.76	RQ033	74.42	69.46	SC033	62.29	58.14
PA073	60.02	56.02	RQ034	79.99	74.65	SC034	64.01	59.74
PA074	61.28	57.21	RQ035	74.42	69.46	SC035	62.29	58.14
PA075	77.32	72.16	RQ036	79.99	74.65	SC036	69.77	65.11
PA076	75.55	70.51	RQ037	74.42	69.46	SC037	64.01	59.74
PA077	62.13	57.97	RQ038	79.99	74.65	SC046	69.77	65.11
PA078	97.94	91.41	RQ039	81.73	76.28	SC056	69.37	64.74
PA079	62.95	58.74	RQ040	81.73	76.28	SC057	69.37	64.74
PA080	62.13	57.97	RQ041	74.42	69.46	SC059	62.29	58.14
PA081	75.55	70.51	RQ042	74.42	69.46	SC911	70.12	65.44
PA082	71.85	67.06	RQ043	74.42	69.46	SD010	66.43	61.99
PA083	60.54	56.50	RQ044	79.99	74.65	SD011	63.95	59.69
PA085	59.66	55.67	RQ045	79.99	74.65	SD014	63.95	59.69
PA086	60.75	56.70	RQ046	74.42	69.46	SD016	66.43	61.99
PA087	75.16	70.15	RQ047	79.99	74.65	SD021	63.95	59.69
PA088	84.22	78.60	RQ048	74.42	69.46	SD026	63.95	59.69
PA090	78.53	73.30	RQ049	79.99	74.65	SD034	63.95	59.69
PA091	71.59	66.81	RQ050	79.99	74.65	SD035	69.49	64.85
PA092	61.43	57.33	RQ052	74.42	69.46	SD036	63.95	59.69
RI001	113.76	106.18	RQ053	79.99	74.65	SD037	63.95	59.69
RI002	113.76	106.18	RQ054	79.99	74.65	SD039	66.43	61.99
RI003	113.76	106.18	RQ055	74.42	69.46	SD043	63.95	59.69
RI004	113.76	106.18	RQ056	79.99	74.65	SD045	63.95	59.69
RI005	108.67	101.42	RQ057	74.42	69.46	SD047	63.95	59.69
RI006	113.76	106.18	RQ058	74.42	69.46	SD048	63.95	59.69
RI007	113.76	106.18	RQ059	74.42	69.46	SD055	63.95	59.69
RI008	98.91	92.32	RQ060	74.42	69.46	SD056	63.95	59.69
RI009	113.76	106.18	RQ061	74.42	69.46	SD057	63.95	59.69
RI010	113.76	106.18	RQ062	74.42	69.46	SD058	63.95	59.69
RI011	113.76	106.18	RQ063	79.99	74.65	SD059	63.95	59.69
RI012	113.76	106.18	RQ064	79.99	74.65	TN001	64.89	60.56
RI013	108.67	101.42	RQ065	74.42	69.46	TN002	60.17	56.16
RI014	113.76	106.18	RQ066	74.42	69.46	TN003	60.52	56.50
RI015	113.76	106.18	RQ067	74.42	69.46	TN004	65.78	61.39
RI016	113.76	106.18	RQ068	74.42	69.46	TN005	71.91	67.12
RI017	113.76	106.18	RQ069	74.42	69.46	TN006	60.17	56.16
RI018	113.76	106.18	RQ070	79.99	74.65	TN007	60.17	56.16
RI019	113.76	106.18	RQ071	74.42	69.46	TN012	60.52	56.50
RI020	113.76	106.18	RQ072	79.99	74.65	TN013	59.67	55.69
RI022	113.76	106.18	RQ073	74.42	69.46	TN020	71.91	67.12
RI024	113.76	106.18	RQ074	74.42	69.46	TN024	59.67	55.69
RI026	113.76	106.18	RQ075	79.99	74.65	TN026	59.67	55.69
RI027	113.76	106.18	RQ077	79.99	74.65	TN035	71.91	67.12
RI028	113.76	106.18	RQ080	74.42	69.46	TN038	60.17	56.16
RI029	113.76	106.18	RQ081	79.99	74.65	TN042	59.67	55.69
RI901	113.76	106.18	RQ082	79.99	74.65	TN054	60.17	56.16

PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate
TN062	59.67	55.69	TX183	59.85	55.86	TX483	73.60	68.70
TN065	60.52	56.50	TX189	59.85	55.86	TX484	79.48	74.18
TN066	60.17	56.16	TX193	71.32	66.58	TX485	59.85	55.86
TN076	60.17	56.16	TX197	62.37	58.21	TX486	60.84	56.77
TN079	71.91	67.12	TX201	59.85	55.86	TX488	59.85	55.86
TN088	60.52	56.50	TX202	62.52	58.35	TX493	83.20	77.66
TN113	60.52	56.50	TX206	63.24	59.03	TX495	77.52	72.35
TN117	65.78	61.39	TX208	62.37	58.21	TX497	62.52	58.35
TN903	71.91	67.12	TX210	62.37	58.21	TX498	63.82	59.57
TQ901	112.56	105.07	TX217	59.85	55.86	TX499	62.37	58.21
TX001	81.14	75.73	TX224	62.52	58.35	TX500	59.85	55.86
TX003	68.93	64.33	TX236	62.37	58.21	TX505	73.60	68.70
TX004	77.52	72.35	TX242	59.85	55.86	TX509	63.24	59.03
TX005	73.60	68.70	TX257	62.37	58.21	TX511	59.85	55.86
TX006	71.32	66.58	TX259	81.14	75.73	TX512	59.85	55.86
TX007	63.24	59.03	TX263	59.85	55.86	TX514	62.37	58.21
TX008	72.72	67.87	TX264	81.14	75.73	TX516	59.85	55.86
TX009	83.20	77.66	TX266	81.14	75.73	TX519	59.85	55.86
TX010	62.37	58.21	TX272	59.85	55.86	TX522	83.20	77.66
TX011	62.37	58.21	TX284	59.85	55.86	TX523	63.82	59.57
TX012	73.60	68.70	TX298	59.85	55.86	TX526	83.35	77.79
TX014	62.37	58.21	TX300	59.85	55.86	TX533	83.20	77.66
TX016	59.85	55.86	TX302	72.72	67.87	TX534	80.15	74.80
TX017	73.60	68.70	TX303	71.32	66.58	TX535	59.85	55.86
TX018	62.37	58.21	TX309	59.85	55.86	TX537	59.85	55.86
TX019	59.85	55.86	TX313	72.72	67.87	TX542	62.37	58.21
TX021	59.85	55.86	TX322	81.14	75.73	TX546	62.37	58.21
TX023	71.27	66.51	TX327	62.37	58.21	TX559	83.20	77.66
TX025	63.24	59.03	TX330	59.85	55.86	TX560	73.60	68.70
TX027	83.20	77.66	TX332	59.85	55.86	TX901	73.60	68.70
TX028	62.52	58.35	TX335	59.85	55.86	UT002	67.70	63.18
TX029	62.52	58.35	TX341	69.94	65.28	UT003	67.70	63.18
TX030	62.37	58.21	TX343	71.32	66.58	UT004	67.70	63.18
TX031	81.14	75.73	TX349	77.52	72.35	UT006	72.77	67.91
TX032	73.60	68.70	TX350	71.32	66.58	UT007	67.70	63.18
TX034	71.27	66.51	TX358	59.85	55.86	UT009	67.70	63.18
TX035	60.00	55.99	TX372	59.85	55.86	UT011	67.70	63.18
TX037	71.27	66.51	TX376	59.85	55.86	UT014	82.77	77.25
TX039	59.85	55.86	TX377	81.14	75.73	UT015	82.77	77.25
TX042	59.85	55.86	TX378	60.00	55.99	UT016	82.77	77.25
TX044	59.85	55.86	TX381	59.85	55.86	UT020	67.70	63.18
TX046	62.52	58.35	TX392	83.20	77.66	UT021	69.72	65.08
TX048	59.85	55.86	TX395	61.83	57.70	UT022	67.70	63.18
TX049	59.85	55.86	TX396	59.85	55.86	UT025	67.70	63.18
TX051	62.52	58.35	TX397	59.85	55.86	UT026	67.70	63.18
TX062	62.52	58.35	TX421	59.85	55.86	UT028	82.77	77.25
TX064	62.52	58.35	TX431	77.52	72.35	UT029	82.77	77.25
TX065	63.24	59.03	TX432	68.93	64.33	UT030	67.70	63.18
TX072	59.85	55.86	TX433	77.52	72.35	UT031	72.77	67.91
TX073	62.52	58.35	TX434	83.20	77.66	VA001	75.94	70.88
TX075	59.85	55.86	TX435	83.20	77.66	VA002	60.17	56.16
TX079	62.37	58.21	TX436	83.20	77.66	VA003	75.94	70.88
TX081	59.85	55.86	TX439	68.93	64.33	VA004	111.97	104.51
TX085	86.42	80.65	TX440	73.60	68.70	VA005	68.89	64.29
TX087	81.14	75.73	TX441	73.60	68.70	VA006	75.94	70.88
TX095	83.20	77.66	TX444	62.37	58.21	VA007	68.89	64.29
TX096	59.85	55.86	TX445	62.52	58.35	VA010	57.95	54.09
TX105	59.85	55.86	TX447	62.52	58.35	VA011	60.62	56.57
TX111	63.82	59.57	TX448	62.52	58.35	VA012	75.94	70.88
TX114	59.85	55.86	TX449	59.85	55.86	VA013	61.31	57.22
TX128	83.20	77.66	TX452	71.32	66.58	VA014	61.31	57.22
TX134	59.85	55.86	TX454	59.85	55.86	VA015	54.52	50.89
TX137	62.37	58.21	TX455	80.15	74.80	VA016	77.03	71.89
TX147	59.85	55.86	TX456	71.11	66.37	VA017	75.94	70.88
TX152	59.85	55.86	TX457	67.12	62.64	VA018	54.52	50.89
TX158	62.37	58.21	TX458	62.37	58.21	VA019	111.97	104.51
TX163	72.72	67.87	TX459	69.94	65.28	VA020	68.89	64.29
TX164	72.72	67.87	TX461	63.67	59.44	VA021	54.52	50.89
TX173	63.24	59.03	TX470	62.37	58.21	VA022	55.73	52.01
TX174	72.72	67.87	TX472	62.37	58.21	VA023	55.73	52.01
TX175	59.85	55.86	TX480	81.14	75.73	VA024	54.52	50.89
TX177	62.52	58.35	TX481	62.37	58.21	VA025	75.94	70.88
TX178	59.85	55.86	TX482	62.37	58.21	VA028	111.97	104.51

PHA	Column A rate	Column B rate	PHA	Column A rate	Column B rate
VA030	54.52	50.89	WI091	53.48	49.91
VA031	60.17	56.16	WI096	53.48	49.91
VA032	60.17	56.16	WI127	53.48	49.91
VA034	54.52	50.89	WI131	53.48	49.91
VA035	111.97	104.51	WI142	64.11	59.85
VA036	77.03	71.89	WI160	53.48	49.91
VA037	54.66	51.00	WI166	53.48	49.91
VA038	54.52	50.89	WI183	58.57	54.66
VA039	75.94	70.88	WI186	53.74	50.15
VA040	54.52	50.89	WI193	53.48	49.91
VA041	75.94	70.88	WI195	66.30	61.87
VA042	60.17	56.16	WI201	64.11	59.85
VA044	55.71	51.99	WI203	59.49	55.53
VA046	111.97	104.51	WI204	54.36	50.73
VA901	68.89	64.29	WI205	53.48	49.91
VQ901	97.78	91.26	WI206	53.48	49.91
VT001	92.70	86.52	WI208	53.48	49.91
VT002	80.03	74.69	WI213	53.98	50.39
VT003	82.78	77.26	WI214	71.36	66.61
VT004	81.95	76.49	WI218	64.11	59.85
VT005	76.73	71.61	WI219	59.49	55.53
VT006	92.70	86.52	WI221	53.48	49.91
VT008	76.73	71.61	WI222	53.48	49.91
VT009	77.55	72.38	WI230	53.48	49.91
VT901	92.70	86.52	WI231	53.48	49.91
WA001	97.82	91.28	WI233	53.48	49.91
WA002	97.82	91.28	WI237	54.48	50.85
WA003	86.40	80.64	WI241	53.48	49.91
WA004	81.48	76.04	WI242	53.48	49.91
WA005	83.06	77.54	WI244	58.71	54.79
WA006	97.82	91.28	WI245	53.48	49.91
WA007	66.60	62.16	WI246	54.23	50.60
WA008	80.90	75.49	WI248	53.48	49.91
WA011	97.82	91.28	WI256	53.48	49.91
WA012	75.46	70.42	WI901	53.48	49.91
WA013	75.61	70.56	WV001	72.30	67.48
WA014	62.83	58.64	WV003	57.33	53.51
WA017	64.88	60.56	WV004	59.61	55.63
WA018	81.48	76.04	WV005	57.22	53.40
WA020	66.60	62.16	WV006	60.26	56.24
WA021	75.46	70.42	WV009	60.90	56.84
WA024	95.73	89.33	WV010	62.12	57.98
WA025	92.86	86.66	WV015	57.22	53.40
WA036	86.40	80.64	WV016	60.56	56.52
WA039	97.82	91.28	WV017	57.22	53.40
WA042	78.46	73.22	WV018	57.22	53.40
WA049	89.26	83.30	WV027	58.41	54.52
WA054	83.06	77.54	WV034	57.22	53.40
WA055	75.14	70.14	WV035	58.41	54.52
WA057	81.58	76.14	WV037	59.61	55.63
WA061	84.90	79.24	WV039	57.22	53.40
WA064	77.26	72.10	WV042	57.22	53.40
WA071	68.86	64.26	WV045	57.22	53.40
WI001	65.04	60.71	WV046	57.22	53.40
WI002	64.11	59.85	WY002	83.29	77.75
WI003	71.36	66.61	WY003	68.07	63.53
WI006	61.34	57.25	WY004	100.36	93.68
WI011	54.36	50.73	WY013	68.07	63.53
WI019	53.48	49.91			
WI020	87.93	82.07			
WI031	53.48	49.91			
WI043	53.98	50.39			
WI045	53.48	49.91			
WI047	53.48	49.91			
WI048	53.48	49.91			
WI060	87.93	82.07			
WI064	59.49	55.53			
WI065	53.98	50.39			
WI068	54.36	50.73			
WI069	54.36	50.73			
WI070	53.48	49.91			
WI083	64.11	59.85			
WI085	53.48	49.91			

[FR Doc. 2018-06984 Filed 4-4-18; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R4-ES-2017-N176;
FXES1113040000EA-123-FF04EF1000]

Endangered and Threatened Wildlife; Availability of Proposed Low-Effect Habitat Conservation Plan for the Sand Skink, Orange County, FL

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), have received an application for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended. Meritage Homes of Florida, Inc., is requesting a 5-year ITP for take of the sand skink, which is federally listed as a threatened species. We request public comments on the permit application and accompanying proposed habitat conservation plan as well as on our preliminary determination that the plan qualifies as low effect under the National Environmental Policy Act. To make this determination, we used our environmental action statement and low-effect screening form, which are also available for review.

DATES: To ensure consideration, please send your written comments by May 7, 2018.

ADDRESSES: You may submit written comments and request copies of the application, habitat conservation plan, environmental action statement, or low-effect screening form by any one of the following methods:

Email: northflorida@fws.gov. Use “Attn: Permit number TE59063C-0” as your subject line.

Fax: Field Supervisor, (904) 731-3191, “Attn: Permit number TE59063C-0.”

U.S. mail: Field Supervisor, Jacksonville Ecological Services Field Office, Attn: Permit number TE59063C-0, U.S. Fish and Wildlife Service, 7915 Baymeadows Way, Suite 200, Jacksonville, FL 32256.

In-person: You may deliver comments during regular business hours at the office address listed above under *U.S. Mail*. You may inspect the application, habitat conservation plan, environmental action statement, or low-effect screening form by appointment during normal business hours at the same address.

FOR FURTHER INFORMATION CONTACT: Erin M. Gawera, telephone: (904) 731-3121; email: erin_gawera@fws.gov.

SUPPLEMENTARY INFORMATION:**Background**

Section 9 of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and our implementing regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17 prohibit the “take” of fish or wildlife species listed as endangered or threatened. Take of listed fish or wildlife is defined under the ESA as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” (16 U.S.C. 1532(19)). However, under limited circumstances, we issue permits to authorize incidental take—*i.e.*, take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

Regulations governing incidental take permits for endangered and threatened wildlife species are at 50 CFR 17.22 and 17.32, respectively. In addition to meeting other criteria, the take authorized by an incidental take permit must not jeopardize the existence of federally listed fish, wildlife, or plants.

Applicant's Proposal

Meritage Homes of Florida, Inc. (the Applicant), is requesting an incidental take permit (ITP) to take sand skink (*Neoseps reynoldsi*) through the permanent destruction of approximately 3.6 acres (ac) of occupied foraging and sheltering habitat incidental to construction of a residential development in Orange County, Florida. Included with the permit application is a draft habitat conservation plan (HCP). The 126.94-ac HCP project site is located on parcel number 05-23-27-0000-00-002, within sections 5 and 6, Townships 23 South, Range 27 East in Orange County. The project activities also include the clearing, infrastructure building, and landscaping associated with residential construction. The sand skink will likely be subjected to take in the forms of injury, mortality, and/or loss of habitat. The Applicant proposes to mitigate for take of the species by purchasing 7.2 mitigation credits within the Sebring Scrub Conservation Bank or another Service-approved sand skink conservation bank.

Our Preliminary Determination

We have determined that the Applicant's proposed plan, including the proposed mitigation and minimization measures, would have minor or negligible effects on the covered species and the environment so as to be “low effect” and qualify for categorical exclusion under the National Environmental Policy Act (NEPA; 42

U.S.C. 4321 *et seq.*), as provided by 43 CFR 46.205 and 46.210. A low-effect HCP is one involving (1) minor or negligible effects on federally listed or candidate species and their habitats, and (2) minor or negligible effects on other environmental values or resources.

Next Steps

We will evaluate the HCP and comments we receive to determine whether the ITP application meets the requirements of section 10(a) of the ESA. We will also conduct an intra-Service consultation to evaluate take of the sand skink in accordance with section 7 of the ESA. We will use the results of this consultation, in combination with the above findings, in our analysis of whether or not to issue the ITP. If the requirements are met, we will issue ITP number TE59063C-0 to the Applicant.

Public Comments

If you wish to comment on the permit application, HCP, or associated documents, you may submit comments by any one of the methods listed above in **ADDRESSES**.

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.

Authority

We provide this notice under section 10 of the ESA and NEPA regulation 40 CFR 1506.6.

Jay B. Herrington,

Field Supervisor, Jacksonville Field Office, Southeast Region.

[FR Doc. 2018-06940 Filed 4-4-18; 8:45 am]

BILLING CODE 4333-15-P

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service**

[FWS-R8-R-2017-N124;
FXRS282108E8PD0-178-F2013227943]

South Bay Salt Pond Restoration Project, Phase 2, Eden Landing Ecological Reserve; Draft Environmental Impact Statement/ Environmental Impact Report

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for public comments; announcement of meeting.

SUMMARY: We, the U.S. Fish and Wildlife Service, in coordination with the California Department of Fish and Wildlife and the California State Coastal Conservancy, announce the availability of a Draft Environmental Impact Statement/Environmental Impact Report (DEIS/EIR) for Phase 2 of the South Bay Salt Pond Restoration Project at the Eden Landing Ecological Reserve in Alameda County, California. The DEIS/EIR, which we prepared in accordance with the National Environmental Policy Act of 1969, describes and analyzes the alternatives identified for Phase 2 of the South Bay Salt Pond Restoration Project.

DATES: We will accept comments received or postmarked on or before May 21, 2018. A public meeting will be held on May 8, 2018, from 6 p.m. to 8 p.m. (see **ADDRESSES**).

Persons needing reasonable accommodations in order to attend and participate in the public meeting should contact Ariel Ambruster, by email at aambrust@ccp.csus.edu or by phone at 510-528-5006, at least 1 week in advance of the meeting to allow time to process the request.

ADDRESSES:

Document Availability: You may obtain copies of the document in the following places:

- *Internet:* <http://www.southbayrestoration.org/planning/phase2/>.
- *In-Person:*
 - San Francisco Bay National Wildlife Refuge Complex Headquarters, 1 Marshlands Road, Fremont, CA 94555.
 - The following libraries:
 - California State University, East Bay Library, 25800 Carlos Bee Blvd., Hayward, CA 94542.
 - Fremont Main Library, 2400 Stevenson Blvd., Fremont, CA 94538.
 - Hayward Public Library, Central Library, 835 C St., Hayward, CA 94541.
 - Natural Resources Library, U.S. Department of the Interior, 1849 C Street NW, Washington, DC 20240.

■ Union City Library, 34007 Alvarado-Niles Rd., Union City, CA 94587.

For how to view comments on the draft EIS from the Environmental Protection Agency (EPA), or for information on EPA's role in the EIS process, see EPA's Role in the EIS Process under **SUPPLEMENTARY INFORMATION**.

Submitting Comments: You may submit written comments by one of the following methods:

- *Electronically:* Comments may be submitted via email to phase2comments@southbayrestoration.org. Your correspondence should make clear the alternatives or issues to which your comments pertain.

- *By Hard Copy:* Send written comments to Brenda Buxton, Deputy Program Manager, State Coastal Conservancy, 1515 Clay St., 10th Floor, Oakland, CA 94612.

- *By Fax:* You may also send written comments by facsimile to 510-286-0470.

To have your name added to our mailing list, contact Ariel Ambruster (see **DATES**).

Public Meeting: A public meeting will be held on May 8, 2018, from 6 p.m. to 8 p.m., at the San Francisco Bay National Wildlife Refuge Complex Headquarters, Third Floor Auditorium at 1 Marshlands Road, Fremont, California 94555. Staff will be available to take comments and answer questions during this time. The details of the public meeting will be posted on the SBSP Restoration Project's website at (<http://www.southbayrestoration.org/events/>). Meeting details will also be emailed to the Project's Stakeholder Forum and to those interested parties who request to be notified. Notification requests can be made by contacting Ariel Ambruster, the SBSP Restoration Project's public outreach coordinator (see **DATES**).

FOR FURTHER INFORMATION CONTACT: Brenda Buxton, Deputy Project Manager, State Coastal Conservancy, (510) 286-1015.

SUPPLEMENTARY INFORMATION: In coordination with the California Department of Fish and Wildlife (CDFW) and the California State Coastal Conservancy, we, the U.S. Fish and Wildlife Service, announce the availability of a Draft Environmental Impact Statement/Environmental Impact Report (DEIS/EIR) for Phase 2 of the South Bay Salt Pond Restoration Project (SBSP) at the Eden Landing Ecological Reserve (Eden Landing) in Alameda County, California. Phase 2

activities would occur within 11 ponds located between Old Alameda Creek and Alameda Creek Flood Control Channel. These ponds are organized by their similarities and location within the Phase 2 project area into three subgroups: the Bay Ponds (E1, E2, E4, and E7), the Inland Ponds (E5, E6, and E6C), and the Southern Ponds (E1C, E2C, E4C, and E5C). The DEIS/EIR, which we prepared in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*; NEPA), describes and analyzes the alternatives identified for Eden Landing Phase 2 of the South Bay Salt Pond Restoration Project. In addition to our publication of this **Federal Register** notice, the Environmental Protection Agency (EPA) is publishing its own **Federal Register** notice announcing the draft EIS, as required under section 309 of the Clean Air Act (42 U.S.C. 7401 *et seq.*; CAA). The publication date of EPA's notice of availability is the official start of the public comment period for our draft EIS. Under the CAA, EPA also must subsequently announce the final EIS via the **Federal Register**.

EPA's Role in the EIS Process

The EPA is charged under section 309 of the CAA to review all Federal agencies' environmental impact statements (EISs) and to comment on the adequacy and the acceptability of the environmental impacts of proposed actions in the EISs.

EPA also serves as the repository (EIS database) for EISs prepared by Federal agencies and provides notice of their availability in the **Federal Register**. The Environmental Impact Statement Database provides information about EISs prepared by Federal agencies, as well as EPA's comments concerning the EISs. All EISs are filed with EPA, which publishes a notice of availability on Fridays in the **Federal Register**.

The EPA notice of availability is the start of the public comment period for draft EISs, and the start of the 30-day "wait period" for final EISs, during which agencies are generally required to wait 30 days before making a decision on a proposed action. For more information, see <https://www.epa.gov/nepa>. You may search for EPA comments on EISs, along with EISs themselves, at <https://www.epa.gov/nepa/how-obtain-copy-environmental-impact-statement>.

Background

In December 2007, the USFWS and CDFW published a Final EIS/EIR for the South Bay Salt Pond (SBSP) Restoration Project (December 19, 2007; 72 FR 71937). The overall SBSP restoration

area includes 15,100 acres, which the USFWS and the CDFW acquired from Cargill, Inc. in 2003. The lands acquired from Cargill are divided into three pond complexes: The Ravenswood Pond complex, in San Mateo County, managed by the USFWS; the Alviso Pond complex, also managed by the USFWS, which is mostly in Santa Clara County, with five ponds in Alameda County; and the Eden Landing Pond complex, in Alameda County, which is owned and managed by the CDFW. The SBSP Restoration Project presented in the Final EIS/EIR was both programmatic, covering a 50-year period, and project-level, addressing the specific components and implementation of Phase 1.

In January 2008, we signed a Record of Decision selecting the Tidal Emphasis Alternative (Alternative C) for implementation. This alternative will result in 90 percent of the USFWS's and CDFW's ponds being restored to tidal wetlands and 10 percent converted to managed ponds. Under Phase 1 of Alternative C, we restored ponds E8A, E8X, E9, E12, and E13 at the Eden Landing complex; A6, A8, A16, and A17 at the Alviso complex; and SF2 at the Ravenswood complex. We also added several trails, interpretive features, a kayak launch, and other recreational access points. Construction was completed on the USFWS ponds in 2013 and on the CDFW ponds in 2016.

We now propose restoration or enhancement of over 2,270 acres of former salt ponds in the second phase of the SBSP Restoration Project at Eden Landing. In the DEIS/EIR, we provide project level analysis of proposed restoration or enhancement of portions of Eden Landing, specifically at the Bay Ponds (E1, E2, E4, and E7), the Inland Ponds (E5, E6, E6C), and the Southern Ponds (E1C, E2C, E4C, and E5C). These ponds are illustrated on the SBSP Restoration Project website at <http://www.southbayrestoration.org/planning/phase2/>.

Phase 2 of the SBSP Restoration Project is intended to restore and enhance tidal wetlands and managed pond habitats in South San Francisco Bay while simultaneously providing flood risk management and wildlife-oriented public access and recreation. In this Phase 2 document, we would continue habitat restoration activities and public access opportunities in the CDFW pond complex, while maintaining or improving current levels of flood risk management in the surrounding communities.

Alternatives

We consider a range of alternatives and their impacts in the DEIS/EIR, including a No Action Alternative. The range of alternatives include varying approaches to restoring tidal marshes (including number and location of breaches, other levee modifications, and beneficial reuse of dredged material), habitat enhancements (islands, transition zones, and channels), modifications to existing levees and berms to maintain or improve flood risk management, and recreation and public access components (trails, boardwalks, and viewing platforms) which correspond to the project objectives. The alternatives are described below.

Alternative Eden A (No Action)

Under Alternative Eden A (the No Action Alternative), no new activities would be implemented as part of Phase 2. The ponds would continue to be monitored and managed through the activities described in the Adaptive Management Plan (AMP) and in accordance with current CDFW practices. The high priority levees that function as inland flood risk management would continue to be maintained as appropriate and with consultation with the Alameda County Flood Control and Water Conservation District (ACFCWCD).

Alternative Eden B

Alternative Eden B would breach and lower levees to restore the ponds to tidal marsh and thereby improve the ecological function of the ponds. The easternmost levees would be improved to provide flood risk management to the inland communities. The internal levees along the J-ponds and other ACFCWCD-owned channels would also be improved, as needed. The tidal marsh habitats would also be enhanced by placing dredged material to raise pond bottoms, using remnant levees as habitat islands, constructing habitat transition zones, excavating pilot channels to enhance water circulation, and increasing connectivity for anadromous fish habitat. Root wads and logs would be used to prevent erosion on the Bay side of Pond E2. Water control structures would be used during the transition of the Southern Ponds into tidal marsh. Implementation of this alternative would increase wildlife-oriented public access and recreational opportunities in the region. A piped connection from the Alameda County Water District's nearby Aquifer

Reclamation Program wells would be added to deliver brackish groundwater and water habitat transition zones in the Inland and Southern Ponds. Finally, a piped connection with the adjacent Union Sanitary District (USD) would be added to deliver treated wastewater from that facility and deliver it onto the habitat transition zone that would be built in the Inland Ponds. This would water the vegetation on that feature and also add a salinity gradient to the marsh that would form there.

Alternative Eden C

Alternative Eden C would retain the Inland and Southern Ponds as managed ponds, and the Bay Ponds would be restored to tidal marsh. A mid-complex levee would be constructed mostly by improving existing internal levees along the Inland Ponds, the J-Ponds, and Pond E1C of the Southern Ponds. Several water control structures would be placed within the Inland and Southern Ponds so that a variety of pond characteristics could be modified as necessary to support a range of pond-dependent wildlife. This alternative would implement many of the same habitat enhancements as Alternative Eden B, but in different locations. For example, the habitat transition zone would be built against the mid-complex levee, and the excavated pilot channels would also be in different places. Similar recreational opportunities would be created under this alternative, but additional trails have been proposed. These include a set of trails along, and a bridge across, the Old Alameda Creek. These trails would end at the Alvarado Salt Works at a new viewing platform. This alternative also proposes to build a bridge to extend the Bay Trail spine over the Alameda Creek Flood Control Channel beyond the Eden Landing Ecological Reserve boundary.

Alternative Eden D

Alternative Eden D would restore the ponds to tidal marsh in a staged approach. Similar to Alternative Eden C, a mid-complex levee would be constructed; however this levee would be temporary. The first stage of this alternative would restore the Bay Ponds to tidal marsh and retain the Inland and Southern Ponds as managed ponds using the temporary mid-complex levee and water control structures. These water control structures would be installed in the Inland and Southern Ponds while they are managed ponds. Once tidal marsh becomes established in the Bay Ponds, the Inland and

Southern Ponds would likely be restored to tidal marsh by removing the water control structures and introducing tidal flows to the Inland and Southern Ponds. This end result would be much like Alternative Eden C. However, if ongoing wildlife monitoring conducted under the AMP shows that the pond-associated wildlife species continue to require pond habitat, the Inland Ponds and Southern Ponds could be retained in that managed pond configuration indefinitely. The end result in that case would be much like Alternative Eden C. The proposed recreational features for this alternative are identical to Alternative Eden B, which includes extending the Bay Trail spine through southern Eden Landing on top of improved internal levees and also adding a viewing platform.

National Environmental Policy Review Act Compliance

We are conducting environmental review in accordance with the requirements of NEPA, as amended (42 U.S.C. 4321 *et seq.*), its implementing regulations (40 CFR parts 1500–1508), other applicable regulations, and our procedures for compliance with those regulations. The DEIS/EIR discusses the direct, indirect, and cumulative impacts of the alternatives on biological resources, cultural resources, water quality, and other environmental resources. Measures to minimize adverse environmental effects are identified and discussed in the DEIS/EIR.

Public Comments

We request that you send comments only by one of the methods described in **ADDRESSES**. If you submit a comment that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so.

In addition to providing written comments, the public is encouraged to attend a public meeting on (see **DATES**), to solicit comments on the DEIS/EIR. The location of the public meeting is provided in the **ADDRESSES** section. We will accept both oral and written comments at the public meeting.

Jody Holzworth,

Acting Regional Director, Pacific Southwest Region.

[FR Doc. 2018–06941 Filed 4–4–18; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

[LLWO3500000.L14400000.PN0000.18X;
OMB Control Number 1004-0004]

**Agency Information Collection
Activities; Desert Land Entry
Application**

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Land Management (BLM) is proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before June 4, 2018.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to the U.S. Department of the Interior, Bureau of Land Management, 1849 C Street, NW, Room 2134LM, Washington DC 20240, Attention: Jean Sonneman; by email to jesonnem@blm.gov. Please reference OMB Control Number 1004-0004 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Brenda Wilhigh by email at bwilhigh@blm.gov, or by telephone at 202-912-7346.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the BLM; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the BLM enhance the quality, utility, and clarity of the information to be collected; and (5) how might the BLM minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. 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.

Abstract: The Bureau of Land Management (BLM) uses the information to determine if an individual is eligible to make a desert land entry for agricultural purposes.

Title of Collection: Desert Land Entry Application.

OMB Control Number: 1004-0004.

Form Number: 2520-1.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Individuals who wish to make a desert land entry for agricultural purposes.

Total Estimated Number of Annual Respondents: 2.

Total Estimated Number of Annual Responses: 2.

Estimated Completion Time per Response: 2 hours.

Total Estimated Number of Annual Burden Hours: 4 hours.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: \$190.00

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Jean Sonneman,

*Information Collection Clearance Officer,
Bureau of Land Management.*

[FR Doc. 2018-06981 Filed 4-4-18; 8:45 am]

BILLING CODE 4310-84-P

ACTION: Notice of official filing.

SUMMARY: The plats of survey described below are scheduled to be officially filed in the Bureau of Land Management (BLM), Eastern States Office, Washington, DC, 30 days from the date of this publication. The surveys, executed at the request of the Eastern Regional Office of the BIA and the Southeastern States Field Office of the BLM, are necessary for the management of these lands.

DATES: Unless there are protests of this action, the filing of the plat described in this notice will happen on May 7, 2018.

ADDRESSES: Written notices protesting this survey must be sent to the State Director, BLM Eastern States, Suite 950, 20 M Street SE, Washington DC, 20003.

FOR FURTHER INFORMATION CONTACT: Dominica VanKoten, Chief Cadastral Surveyor for Eastern States; (202) 912-7756; email: dvankote@blm.gov; or U.S. Postal Service: BLM-ES, Suite 950, 20 M Street SE, Washington, DC, 20003. Attn: Cadastral Survey. Persons who use a telecommunications device for the deaf may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The plat, incorporating the field notes of the dependent resurvey of a portion of the 1805 and 1820 Choctaw Treaty boundaries, a portion of the north and east boundaries, a portion of the subdivisional lines, and the survey of tract 37 in Township 9 North, Range 17 West, St. Stephens Meridian, in the State of Mississippi; accepted August 31, 2017.

The plat, incorporating the field notes describe the dependent resurvey of a portion of the east boundary, a portion of the subdivisional lines, the survey of the subdivision of section 13, and the metes and bounds survey of land held in trust for the Mississippi Band of Choctaw Indians, within section 13, T. 11 N., R. 13 E., Choctaw Meridian, in the State of Mississippi, accepted September 29, 2017.

A person or party who wishes to protest the above survey must file a written notice of protest within 30 calendar days from the date of this publication at the address listed in the **ADDRESSES** section of this notice. A statement of reasons for the protest may be filed with the notice of protest and must be filed within 30 calendar days after the protest is filed. If a protest

DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

[LLES962000 L14400000 BJ0000 18X]

Notice of Filing of Plat Survey; Eastern States

AGENCY: Bureau of Land Management, Interior.

against the survey is received prior to the date of official filing, the filing will be stayed pending consideration of the protest. A plat will not be officially filed until the day after all protests have been dismissed or otherwise resolved.

Before including your address, phone number, email address, or other personal identifying information in your comment, please be aware that your entire protest, 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.

A copy of the described plat will be placed in the open files, and available to the public as a matter of information.

Authority: 43 U.S.C. Chap. 3.

Dominica J. VanKoten,
Chief Cadastral Surveyor.

[FR Doc. 2018-06980 Filed 4-4-18; 8:45 am]

BILLING CODE 4310-GJ-P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-0024]

Agency Information Collection Activities; Proposed eCollection Activities; Proposed eCollection Comments Requested; Revision of a Currently Approved Collection Report of Firearms Transactions—Demand 2 (ATF Form 5300.5)

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection OMB 1140-0024 (Report of Firearms Transactions—Demand 2—ATF Form 5300.5) is being revised due to a reduction in burden, since there is a decrease in the number of respondents, responses, and total burden hours from the previous renewal in 2015. The proposed information collection is also being published to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and will be accepted for 60 days until June 4, 2018.

FOR FURTHER INFORMATION CONTACT: If you have additional comments, particularly with respect to the estimated public burden or associated response time, have suggestions, need a copy of the proposed information collection instrument with instructions, or desire any additional information, please contact Ed Stely, Branch Chief, Tracing Operations and Records Management Branch, National Tracing Center Division either by mail at 244 Needy Road, Martinsburg, WV 25405, by email at Edward.Stely@atf.gov, or by telephone at 304-260-1515.

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 agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- 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* check justification or form 83): Revision of a currently approved collection.

2. *The Title of the Form/Collection:* Report of Firearms Transactions—Demand 2.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form number (if applicable): ATF Form 5300.5.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Business or other for-profit.
Other (if applicable): None.

Abstract: The ATF Form 5300.5 is used when the Bureau of Alcohol, Tobacco, Firearms and Explosives Official has determined that the Federal Firearms Licensee (FFL) has met the Demand 2 reporting requirements. The Demand 2 Program requires FFLs with 25 or more traces, with a time to crime of 3 years or less in a calendar year, to submit an annual report followed by quarterly reports of used firearms acquired by the FFL.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 395 respondents will utilize the form, and it will take each respondent approximately 30 minutes to complete the form.

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 790 hours which is equal to 395 (# of respondents) * 4 (# of responses per respondent) * .5 (30 minutes).

7. *An Explanation of the Change in Estimates:* The changes in burden are due to decrease in the number of respondents and responses by 927 and 3,708 respectively. There was also a reduction in the burden hours for this IC by 1,854, from the previous renewal of this IC in 2015.

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.405A, Washington, DC 20530.

Dated: April 2, 2018.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2018-06970 Filed 4-4-18; 8:45 am]

BILLING CODE 4410-FY-P

DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

Meeting of the Compact Council for the National Crime Prevention and Privacy Compact

AGENCY: Federal Bureau of Investigation, Department of Justice.

ACTION: Meeting notice.

SUMMARY: The purpose of this notice is to announce a meeting of the National Crime Prevention and Privacy Compact Council (Council) created by the National Crime Prevention and Privacy Compact Act of 1998 (Compact). Thus far, the Federal Government and 31

states are parties to the Compact which governs the exchange of criminal history records for licensing, employment, and similar purposes. The Compact also provides a legal framework for the establishment of a cooperative federal-state system to exchange such records.

The United States Attorney General appointed 15 persons from state and federal agencies to serve on the Council. The Council will prescribe system rules and procedures for the effective and proper operation of the Interstate Identification Index system for noncriminal justice purposes.

Matters for discussion are expected to include:

- (1) National Fingerprint File Qualification Requirements Audit Criteria
- (2) Council's Strategic Plan Update
- (3) Outsourcing of the Next Generation Identification Noncriminal Justice Rap Back Service

The meeting will be open to the public on a first-come, first-seated basis. Any member of the public wishing to file a written statement with the Council or wishing to address this session of the Council should notify the Federal Bureau Of Investigation (FBI) Compact Officer, Mrs. Chasity S. Anderson at (304) 625-2803, at least 24 hours prior to the start of the session. The notification should contain the individual's name and corporate

designation, consumer affiliation, or government designation, along with a short statement describing the topic to be addressed and the time needed for the presentation. Individuals will ordinarily be allowed up to 15 minutes to present a topic.

DATES: The Council will meet in open session from 10 a.m. until 5 p.m., on May 16, 2018 and 9 a.m. until 12:30 p.m. on May 17, 2018.

ADDRESSES: The meeting will take place at the Sheraton Norfolk Waterside Hotel, 777 Waterside Hotel, Norfolk, Virginia, telephone 757-622-6664.

FOR FURTHER INFORMATION CONTACT: Inquiries may be addressed to Mrs. Chasity S. Anderson, FBI Compact Officer, Module D3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306, telephone 304-625-2803, facsimile 304-625-2868.

Dated: March 28, 2018.

Chasity S. Anderson,
FBI Compact Officer, Criminal Justice Information Services Division, Federal Bureau of Investigation.

[FR Doc. 2018-06939 Filed 4-4-18; 8:45 am]

BILLING CODE 4410-02-P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for Materials Research; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Proposal Review Panel for Materials Research—Materials Research Science and Engineering Center Site Visit, New York University #1203.

Date and Time: June 13, 2018, 7:00 p.m.–9:00 p.m.; June 14, 2018, 7:30 a.m.–8:30 p.m.; June 15, 2018; 8:00 a.m.–3:15 p.m.

Place: New York University, 70 Washington Square South, New York, NY 10012.

Type of Meeting: Part-Open.

Contact Person: Dr. Daniele Finotello, Program Director, Materials Research Science and Engineering Center, MRSEC. Division of Materials Research, Room E 9475, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone (703) 292-4676.

Purpose of Meeting: NSF site visit to provide advice and recommendations concerning further NSF support for the Center.

Agenda:

Start	End	
Day 1, Wednesday, June 13, 2018		
7:00 p.m	9:00 p.m	Briefing of Site Visit Team by NSF (CLOSED).
Day 2, Thursday, June 14, 2018		
7:30 a.m	8:15 a.m	Continental Breakfast with MRSEC Participants.
8:15 a.m	8:20 a.m	Break and, If Needed, Equipment Setup/Team Introduction.
8:20 a.m	9:10 a.m	Director's Overview.
9:10 a.m	9:20 a.m	Discussion.
9:20 a.m	10:00 a.m	IRG-1.
10:00 a.m	10:10 a.m	Discussion.
10:10 a.m	10:20 a.m	Break.
10:20 a.m	11:00 a.m	IRG-2.
11:00 a.m	11:10 a.m	Discussion.
11:10 a.m	11:35 a.m	Seeds.
11:35 a.m	11:40 a.m	Discussion.
11:40 a.m	12:00 p.m	Executive Session for Site Visit Team and NSF (CLOSED).
12:00 p.m	1:00 p.m	Lunch—Site Visit Team, NSF and Students/Post Docs.
1:00 p.m	1:50 p.m	Education and Outreach, Diversity Plan.
1:50 p.m	2:00 p.m	Discussion.
2:00 p.m	2:25 p.m	Industrial Outreach and Other Collaborations.
2:25 p.m	2:30 p.m	Discussion.
2:30 p.m	3:30 p.m	Facilities Overview and Lab Tour.
3:30 p.m	5:00 p.m	Poster Session.
5:00 p.m	6:30 p.m	Executive Session of Site Visit Team and NSF: Prepare Questions (CLOSED).
6:30 p.m	6:45 p.m	Site Visit Team Meets with MRSEC Director and Executive Committee.
7:00 p.m	8:30 p.m	Dinner Meeting for Site Visit Team and NSF (CLOSED).
Day 2, Friday, June 15 2018		
8:00 a.m	9:00 a.m	Executive Session—Director's Response/Continental Breakfast.
9:00 a.m	9:30 a.m	Executive Session of Site Visit Team (CLOSED).

Start	End	
9:30 a.m	9:50 a.m	Executive Session— <i>Meeting with University Administrators</i> .
9:50 a.m	10:30 a.m	Executive Session of Site Visit Team (CLOSED).
10:30 a.m	10:50 a.m	Discussion with MRSEC Director and Executive Committee (if needed).
10:50 a.m	3:00 p.m	Executive Session of Site Visit Team—Report Writing (working lunch) (CLOSED).
3:00 p.m	3:15 p.m	Debriefing with MRSEC Director and Executive Committee.
3:15 p.m .....	.....	End of the Site Visit.

Reason for Closing: The work being reviewed during closed portions of the site visit include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 2, 2018.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2018-06933 Filed 4-4-18; 8:45 am]

BILLING CODE 7555-01-P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for Materials Research; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Proposal Review Panel for Materials Research—Materials Research Science and Engineering Center Site Visit, Brandeis University #1203.

Date and Time: May 13, 2018; 7:00 p.m.–9:00 p.m.; May 14, 2018; 7:30 a.m.–8:30 p.m.; May 15, 2018; 8:00 a.m.–3:15 p.m.

Place: Brandeis University, 415 South Street, Waltham, MA 02453.

Type of Meeting: Part-open.

Contact Person: Dr. Daniele Finotello, Program Director, Materials Research Science and Engineering Center, MRSEC. Division of Materials Research, Room E 9475, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone (703) 292-4676.

Purpose of Meeting: NSF site visit to provide advice and recommendations concerning further NSF support for the Center.

Agenda

Start	End	
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Day 1, Sunday, May 13, 2018

7:00 p.m	9:00 p.m	Briefing of Site Visit Team by NSF (CLOSED).
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Day 2, Monday, May 14, 2018

7:30 a.m	8:15 a.m	Continental Breakfast with MRSEC Participants.
8:15 a.m	8:20 a.m	Break and, If Needed, Equipment Setup/Team Introduction.
8:20 a.m	9:10 a.m	Director's Overview.
9:10 a.m	9:20 a.m	Discussion.
9:20 a.m	10:00 a.m	IRG-1.
10:00 a.m	10:10 a.m	Discussion.
10:10 a.m	10:20 a.m	Break.
10:20 a.m	11:00 a.m	IRG-2.
11:00 a.m	11:10 a.m	Discussion.
11:10 a.m	11:35 a.m	Seeds.
11:35 a.m	11:40 a.m	Discussion.
11:40 a.m	12:00 p.m	Executive Session for Site Visit Team and NSF (CLOSED).
12:00 p.m	1:00 p.m	Lunch—Site Visit Team, NSF and Students/Post Docs.
1:00 p.m	1:50 p.m	Education and Outreach, Diversity Plan.
1:50 p.m	2:00 p.m	Discussion.
2:00 p.m	2:25 p.m	Industrial Outreach and Other Collaborations.
2:25 p.m	2:30 p.m	Discussion.
2:30 p.m	3:30 p.m	Facilities Overview and Lab Tour.
3:30 p.m	5:00 p.m	Poster Session.
5:00 p.m	6:30 p.m	Executive Session of Site Visit Team and NSF: Prepare Questions (CLOSED).
6:30 p.m	6:45 p.m	Site Visit Team Meets with MRSEC Director and Executive Committee.
7:00 p.m	8:30 p.m	Dinner Meeting for Site Visit Team and NSF (CLOSED).

Day 2, Tuesday, May 15, 18 2018

8:00 a.m	9:00 a.m	Executive Session—Director's Response/Continental Breakfast.
9:00 a.m	9:30 a.m	Executive Session of Site Visit Team (CLOSED).
9:30 a.m	9:50 a.m	Executive Session— <i>Meeting with University Administrators</i> .
9:50 a.m	10:30 a.m	Executive Session of Site Visit Team (CLOSED).
10:30 a.m	10:50 a.m	Discussion with MRSEC Director and Executive Committee (if needed).
10:50 a.m	3:00 p.m	Executive Session of Site Visit Team—Report Writing (working lunch) (CLOSED).
3:00 p.m	3:15 p.m	Debriefing with MRSEC Director and Executive Committee.
3:15 p.m .....	.....	End of the Site Visit.

Reason for Closing: The work being reviewed during closed portions of the site visit include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the project. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 2, 2018.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2018-06931 Filed 4-4-18; 8:45 am]

BILLING CODE 7555-01-P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for Materials Research; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Proposal Review Panel for Materials Research—Materials Research Science and Engineering Center Site Visit, University of Chicago #1203.

Date and Time: May 29, 2018; 7:00 p.m.–9:00 p.m.; May 30, 2018; 7:20 a.m.–8:30 p.m.; May 31, 2018; 8:00 a.m.–4:30 p.m.

Place: University of Chicago, 5801 S. Ellis Ave. Chicago, IL 60637.

Type of Meeting: Part-open.

Contact Person: Dr. Daniele Finotello, Program Director, Materials Research Science and Engineering Center, MRSEC, Division of Materials Research, Room E 9475, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone (703) 292-4676.

Purpose of Meeting: NSF site visit to provide advice and recommendations concerning further NSF support for the Center.

Agenda

Start	End	
Day 1, Tuesday, May 29, 2018		
7:00 p.m.	9:00 p.m.	Briefing of Site Visit Team by NSF (CLOSED).
Day 2, Wednesday, May 30, 2018		
7:20 a.m.	8:15 a.m.	Continental Breakfast with MRSEC Participants.
8:15 a.m.	8:20 a.m.	Break and, If Needed, Equipment Setup/Team Introduction.
8:20 a.m.	9:10 a.m.	Director's Overview.
9:10 a.m.	9:20 a.m.	Discussion.
9:20 a.m.	10:00 a.m.	IRG-1.
10:00 a.m.	10:10 a.m.	Discussion.
10:10 a.m.	10:20 a.m.	Break.
10:20 a.m.	11:00 a.m.	IRG-2.
11:00 a.m.	11:10 a.m.	Discussion.
11:10 a.m.	11:50 a.m.	IRG-3.
11:50 a.m.	12:00 p.m.	Discussion.
12:00 p.m.	12:20 p.m.	Executive Session for Site Visit Team and NSF (CLOSED).
12:20 p.m.	1:15 p.m.	Lunch—Site Visit Team, NSF and Students/Post Docs.
		Break.
1:20 p.m.	1:45 p.m.	Seeds.
1:45 p.m.	1:50 p.m.	Discussion.
1:50 p.m.	2:40 p.m.	Education and Outreach, Diversity Plan.
2:40 p.m.	2:50 p.m.	Discussion.
2:50 p.m.	3:15 p.m.	Industrial Outreach and Other Collaborations.
3:15 p.m.	3:20 p.m.	Discussion.
3:20 p.m.	3:30 p.m.	Break.
3:30 p.m.	5:00 p.m.	Poster Session.
5:00 p.m.	6:30 p.m.	Executive Session of Site Visit Team and NSF: Prepare Questions (CLOSED).
6:30 p.m.	6:45 p.m.	Site Visit Team Meets with MRSEC Director and Executive Committee.
7:00 p.m.	8:30 p.m.	Dinner Meeting for Site Visit Team and NSF (CLOSED).
Day 3, Thursday, May 31, 2018		
8:00 a.m.	9:00 a.m.	Executive Session— <i>Director's Response</i> /Continental Breakfast.
9:00 a.m.	10:00 a.m.	Facilities Overview and Lab Tour.
10:00 a.m.	10:10 a.m.	Break.
10:10 a.m.	11:00 a.m.	Executive Session of Site Visit Team (CLOSED).
11:00 a.m.	11:20 a.m.	Executive Session— <i>Meeting with University Administrators</i> .
11:20 a.m.	11:40 a.m.	Executive Session of Site Visit Team (CLOSED).
11:40 a.m.	12:00 p.m.	Discussion with MRSEC Director and Executive Committee (if needed).
12:00 p.m.	4:15 p.m.	Executive Session of Site Visit Team—Report Writing (working lunch) (CLOSED).
4:15 p.m.	4:30 p.m.	Debriefing with MRSEC Director and Executive Committee.
4:30 p.m.		End of the Site Visit.

Reason for Closing: The work being reviewed during closed portions of the site visit include information of a proprietary or confidential nature,

including technical information; financial data, such as salaries and personal information concerning individuals associated with the project.

These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 2, 2018.
Crystal Robinson,
Committee Management Officer.
 [FR Doc. 2018-06937 Filed 4-4-18; 8:45 am]
BILLING CODE 7555-01-P

Foundation (NSF) announces the following meeting:
Name and Committee Code: Proposal Review Panel for Materials Research—Materials Research Science and Engineering Center Site Visit, Ohio State University #1203.
Date and Time: May 23, 2018; 7:00 p.m.–9:00 p.m.; May 24, 2018; 7:20 a.m.–8:30 p.m.; May 25, 2018; 8:00 a.m.–4:30 p.m.
Place: Ohio State University, 190 N Oval Mall, Columbia, OH 43210.
Type of Meeting: Part-open.

Contact Person: Dr. Daniele Finotello, Program Director, Materials Research Science and Engineering Center, MRSEC. Division of Materials Research, Room E 9475, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone (703) 292-4676.

Purpose of Meeting: NSF site visit to provide advice and recommendations concerning further NSF support for the Center.

Agenda

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for Materials Research; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science

Start	End	Agenda
Day 1, Wednesday, May 23, 2018		
7:00 p.m.	9:00 p.m.	Briefing of Site Visit Team by NSF (CLOSED).
Day 2, Thursday, May 24, 2018		
7:20 a.m.	8:15 a.m.	Continental Breakfast with MRSEC Participants.
8:15 a.m.	8:20 a.m.	Break and, If Needed, Equipment Setup/Team Introduction.
8:20 a.m.	9:10 a.m.	Director's Overview.
9:10 a.m.	9:20 a.m.	Discussion.
9:20 a.m.	10:00 a.m.	IRG-1.
10:00 a.m.	10:10 a.m.	Discussion.
10:10 a.m.	10:20 a.m.	Break.
10:20 a.m.	11:00 a.m.	IRG-2.
11:00 a.m.	11:10 a.m.	Discussion.
11:10 a.m.	11:50 a.m.	IRG-3.
11:50 a.m.	12:00 p.m.	Discussion.
12:00 p.m.	12:20 p.m.	Executive Session for Site Visit Team and NSF (CLOSED).
12:20 p.m.	1:15 p.m.	Lunch—Site Visit Team, NSF and Students/Post Docs.
		Break.
1:20 p.m.	1:45 p.m.	Seeds.
1:45 p.m.	1:50 p.m.	Discussion.
1:50 p.m.	2:40 p.m.	Education and Outreach, Diversity Plan.
2:40 p.m.	2:50 p.m.	Discussion.
2:50 p.m.	3:15 p.m.	Industrial Outreach and Other Collaborations.
3:15 p.m.	3:20 p.m.	Discussion.
3:20 p.m.	3:30 p.m.	Break.
3:30 p.m.	5:00 p.m.	Poster Session.
5:00 p.m.	6:30 p.m.	Executive Session of Site Visit Team and NSF: Prepare Questions (CLOSED).
6:30 p.m.	6:45 p.m.	Site Visit Team Meets with MRSEC Director and Executive Committee.
7:00 p.m.	8:30 p.m.	Dinner Meeting for Site Visit Team and NSF (CLOSED).
Day 3, Friday, May 25, 2018		
8:00 a.m.	9:00 a.m.	Executive Session— <i>Director's Response</i> /Continental Breakfast.
9:00 a.m.	10:00 a.m.	Facilities Overview and Lab Tour.
10:00 a.m.	10:10 a.m.	Break.
10:10 a.m.	11:00 a.m.	Executive Session of Site Visit Team (CLOSED).
11:00 a.m.	11:20 a.m.	Executive Session— <i>Meeting with University Administrators</i> .
11:20 a.m.	11:40 a.m.	Executive Session of Site Visit Team (CLOSED).
11:40 a.m.	12:00 p.m.	Discussion with MRSEC Director and Executive Committee (if needed).
12:00 p.m.	4:15 p.m.	Executive Session of Site Visit Team—Report Writing (working lunch) (CLOSED).
4:15 p.m.	4:30 p.m.	Debriefing with MRSEC Director and Executive Committee.
4:30 p.m.		End of the Site Visit.

Reason for Closing: The work being reviewed during closed portions of the site visit include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the project.

These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.
 Dated: April 2, 2018.
Crystal Robinson,
Committee Management Officer.
 [FR Doc. 2018-06934 Filed 4-4-18; 8:45 am]
BILLING CODE 7555-01-P

NATIONAL SCIENCE FOUNDATION
Proposal Review Panel for Materials Research; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science

Foundation (NSF) announces the following meeting:
Name and Committee Code: Proposal Review Panel for Materials Research—Materials Research Science and Engineering Center Site Visit, MIT #1203.
Date and Time: May 16, 2018; 7:00 p.m.–9:00 p.m.; May 17, 2018; 7:20

a.m.–8:30 p.m.; May 18, 2018: 8:00 a.m.–4:30 p.m.
Place: MIT, 77 Massachusetts Avenue, Cambridge, MA 02139 55455.
Type of Meeting: Part-open.
Contact Person: Dr. Daniele Finotello, Program Director, Materials Research Science and Engineering Center, MRSEC. Division of Materials Research,

Room E 9475, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone (703) 292–4676.
Purpose of Meeting: NSF site visit to provide advice and recommendations concerning further NSF support for the Center.
Agenda

Start	End	Agenda
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Day 1, Wednesday, May 16, 2018

7:00 p.m.	9:00 p.m.	Briefing of Site Visit Team by NSF (CLOSED).
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Day 2, Thursday, May 17, 2018

7:20 a.m.	8:15 a.m.	Continental Breakfast with MRSEC Participants.
8:15 a.m.	8:20 a.m.	Break and, If Needed, Equipment Setup/Team Introduction.
8:20 a.m.	9:10 a.m.	Director's Overview.
9:10 a.m.	9:20 a.m.	Discussion.
9:20 a.m.	10:00 a.m.	IRG–1.
10:00 a.m.	10:10 a.m.	Discussion.
10:10 a.m.	10:20 a.m.	Break.
10:20 a.m.	11:00 a.m.	IRG–2.
11:00 a.m.	11:10 a.m.	Discussion.
11:10 a.m.	11:50 a.m.	IRG–3.
11:50 a.m.	12:00 p.m.	Discussion.
12:00 p.m.	12:20 p.m.	Executive Session for Site Visit Team and NSF (CLOSED).
12:20 p.m.	1:15 p.m.	Lunch—Site Visit Team, NSF and Students/Post Docs.
		Break.
1:20 p.m.	1:45 p.m.	Seeds.
1:45 p.m.	1:50 p.m.	Discussion.
1:50 p.m.	2:40 p.m.	Education and Outreach, Diversity Plan.
2:40 p.m.	2:50 p.m.	Discussion.
2:50 p.m.	3:15 p.m.	Industrial Outreach and Other Collaborations.
3:15 p.m.	3:20 p.m.	Discussion.
3:20 p.m.	3:30 p.m.	Break.
3:30 p.m.	5:00 p.m.	Poster Session.
5:00 p.m.	6:30 p.m.	Executive Session of Site Visit Team and NSF: Prepare Questions (CLOSED).
6:30 p.m.	6:45 p.m.	Site Visit Team Meets with MRSEC Director and Executive Committee.
7:00 p.m.	8:30 p.m.	Dinner Meeting for Site Visit Team and NSF (CLOSED).

Day 3, Friday, May 18, 2018

8:00 a.m.	9:00 a.m.	Executive Session— <i>Director's Response</i> /Continental Breakfast.
9:00 a.m.	10:00 a.m.	Facilities Overview and Lab Tour.
10:00 a.m.	10:10 a.m.	Break.
10:10 a.m.	11:00 a.m.	Executive Session of Site Visit Team (CLOSED).
11:00 a.m.	11:20 a.m.	Executive Session— <i>Meeting with University Administrators</i> .
11:20 a.m.	11:40 a.m.	Executive Session of Site Visit Team (CLOSED).
11:40 a.m.	12:00 p.m.	Discussion with MRSEC Director and Executive Committee (if needed).
12:00 p.m.	4:15 p.m.	Executive Session of Site Visit Team—Report Writing (working lunch) (CLOSED).
4:15 p.m.	4:30 p.m.	Debriefing with MRSEC Director and Executive Committee.
4:30 p.m.		End of the Site Visit.

Reason for Closing: The work being reviewed during closed portions of the site visit include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the project. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 2, 2018.
Crystal Robinson,
Committee Management Officer.
 [FR Doc. 2018–06932 Filed 4–4–18; 8:45 am]
BILLING CODE 7555–01–P

**NATIONAL SCIENCE FOUNDATION
 Advisory Committee for Mathematical and Physical Sciences; Notice of Meeting**

In accordance with the Federal Advisory Committee Act (Pub., L. 92–

463, as amended), the National Science Foundation (NSF) announces the following meeting:
NAME AND COMMITTEE CODE: Advisory Committee for Mathematical and Physical Sciences (#66) (VIRTUAL).
DATE AND TIME: April 23, 2018; 3:30 p.m.–4:30 p.m. EDT.
PLACE: National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314 (Virtual Meeting).
Meeting Information: <https://www.nsf.gov/mps/advisory.jsp>.
TYPE OF MEETING: Closed.

CONTACT PERSON: Tamara Savage, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314. Phone: (703) 292-4934. Email: tasavage@nsf.gov.

PURPOSE OF MEETING: To consider confidential, pre-decisional NSF action plans regarding a large facility and provide advice, recommendations, and counsel on major goals and policies pertaining to mathematical and physical sciences programs and activities.

Agenda

Monday, April 23, 2018, 3:30 p.m.–4:30 p.m. EDT

Meeting opening and FACA briefing. Discussion of confidential, pre-decisional NSF action plans regarding a large facility.

Adjourn.

REASON FOR CLOSING: Meeting will have to do with confidential, pre-decisional NSF action plans regarding a large facility and will include

discussion of proprietary proposal details and merit review panel reports, potential proposed agency actions, and future budget requests, and may properly be closed to the public under 5 U.S.C. 552b(c), (4), (6) and (9), (B) of the Government in the Sunshine Act.

Dated: April 2, 2018.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2018-06944 Filed 4-4-18; 8:45 am]

BILLING CODE 7555-01-P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for Materials Research; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Proposal Review Panel for Materials Research—Site Visit for STC Center for Integrated Quantum Materials (CIQM), Harvard University (#1203).

Date and Time: May 7, 2018; 7:00 p.m.–9:00 p.m.; May 8, 2018; 7:20 a.m.–8:30 p.m.; May 9, 2018; 8:00 a.m.–3:30 p.m.

Place: Harvard University, Massachusetts Hall, Cambridge, MA 02138.

Type of Meeting: Part-open.

Contact Person: Dr. Tomasz Durakiewicz, Program Director, Condensed Matter Physics (CMP), Division of Materials Research, Room E 9344, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone (703) 292-4892.

Purpose of Meeting: NSF site visit to provide advice and recommendations concerning further NSF support for the Center.

Agenda:

Start	End	
CIQM, Harvard U.		
Day 1, Monday, May 7		
7:00 p.m	9:00 p.m	Briefing of Site Visit Team by NSF (CLOSED).
Day 2, Tuesday, May 8		
7:20 a.m	8:00 a.m	Continental Breakfast with STC Participants.
8:00 a.m	8:50 a.m	Director's Overview (Session with NSF Panel) (CLOSED).
8:50 a.m	9:00 a.m	Discussion.
9:00 a.m	9:35 a.m	RA-1.
9:35 a.m	9:45 a.m	Discussion.
9:45 a.m	10:20 a.m	RA-2.
10:20 a.m	10:30 a.m	Discussion.
10:30 a.m	10:45 a.m	Break.
10:45 a.m	11:20 a.m	RA-3.
11:20 a.m	11:30 a.m	Discussion.
11:30 a.m	12:05 p.m	RA-4.
12:05 p.m	12:15 p.m	Discussion.
12:15 p.m	12:40 p.m	Executive Session for Site Visit Team and NSF (CLOSED).
12:40 p.m	1:40 p.m	Lunch—Site Visit Team, NSF and Students/Post Docs.
1:40 p.m	2:00 p.m	Role of theory.
2:00 p.m	2:10 p.m	Discussion.
2:10 p.m	2:50 p.m	Education and Outreach, Diversity Plan.
2:50 p.m	3:00 p.m	Discussion.
3:00 p.m	3:20 p.m	Knowledge Transfer, Industry and Other Collaborations.
3:20 p.m	3:30 p.m	Discussion.
3:30 p.m	3:50 p.m	Legacy planning.
3:50 p.m	4:00 p.m	Discussion.
4:00 p.m	5:00 p.m	Poster Session.
5:00 p.m	6:30 p.m	Executive Session of Site Visit Team and NSF: Prepare Questions (CLOSED).
6:30 p.m	6:45 p.m	Site Visit Team Meets with STC Director and Executive Committee.
7:00 p.m	8:30 p.m	Transfer to Hotel and Dinner Meeting for Site Visit Team and NSF (CLOSED).
Day 2, Wednesday, May 9		
8:00 a.m	10:00 a.m	Executive Session— <i>Director's Response</i> /Continental Breakfast.
10:00 a.m	10:10 a.m	Break.
10:10 a.m	11:00 a.m	Executive Session of Site Visit Team (CLOSED).
11:00 a.m	12:00 p.m	Executive Session— <i>Meeting with University Administrators</i> .
12:00 p.m	3:00 p.m	Executive Session of Site Visit Team—Report Writing (working lunch) (CLOSED).
3:00 p.m	3:30 p.m	Debriefing with STC Director and Executive Committee.
3:30 p.m		End of the Site Visit.

Reason for Closing: The work being reviewed during closed portions of the site visit include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the project. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 2, 2018.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2018-06930 Filed 4-4-18; 8:45 am]

BILLING CODE 7555-01-P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for International Science and Engineering; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Proposal Review Panel for Office of International Science and Engineering—PIRE: Building Extreme Weather Resiliency and Global Community Resiliency Through Improved Weather and Climate Prediction and Emergency Response Strategies—(#10749) (Site Visit).

Date/Time: May 16, 2018 8:00 a.m.–9:30 p.m.; May 17, 2018 8:00 a.m.–4:30 p.m.

Place: SUNY at Albany, Atmospheric Sciences Research Center, 1400 Washington Avenue, Albany, NY 12222-0100.

Type of Meeting: Part open.

Contact Person: Cassandra Dudka, PIRE Program Manager, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone 703-292-7250.

Purpose of Meeting: NSF site visit to conduct a review during year 3 of the five-year award period. To conduct an in-depth evaluation of performance, to assess progress towards goals, and to provide recommendations.

Agenda: See attached.

Reason for Closing: Topics to be discussed and evaluated during closed portions of the site review will include information of a proprietary or confidential nature, including technical information; and information on personnel. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 2, 2018.

Crystal Robinson,

Committee Management Officer.

NSF Sunny Albany Site Visit Agenda

May 16, 2018

8:00 a.m.–10:00 a.m.:

- Welcome remarks from Vice President for Research
- James Diaz (10 min.)
- Introductions (15 min.)
- PIRE Rationale and Goals (Dr. Everette Joseph, 10 min.)
- PIRE Administration and Management (Li Zhang, 15 min.)
- Summer Program at UAlbany: Language & Cultural programs
- Summer Program in Taiwan
- PIRE Taiwanese Partners
- Website
- Data server
- Cohort building experience
- Horizontal mentorships experience
- PIRE Science Research Overview (Dr. Everette Joseph, 15 min.)
- Budget Plans (Jessie and Cathy, 10 min.)
- PIRE Evaluation (15 min.)

10:00 a.m.–12:00 p.m.:

- PIRE Undergraduate Students Poster Session
- PIRE Graduate Students Presentation
- Facilities and Physical Infrastructure

12 p.m.–12:30 p.m.: NSF Executive Session (CLOSED)

12:30 p.m.–1:30 p.m.: Lunch—Discussion with Students

1:30 p.m.–3:00 p.m.:

- Integrating Research and Education
- Integrating with Taiwanese counterparts
- Integrating with Howard University
- Integrating Diversity
- Institutionalization of PIRE Project
- Cohort Experience Building
- Developing Human Resources

3:00 p.m.–3:30 p.m.: NSF Executive Session/Break (CLOSED)

3:30 p.m.–4:15 p.m.: Partnerships

4:15 p.m.–5:15 p.m.: Wrap up

5:15 p.m.–6:15 p.m.: Executive Session/Break

6:15 p.m.: Critical Feedback Provided to PI

8:00 p.m.–9:30 p.m.: NSF Executive Session/Working Dinner (CLOSED)

May 17, 2018

8:00 a.m.–9:00 a.m.:

- Meeting with Administrators and Investigator (CLOSED)
- Meeting with James Diaz and Everette (Topic: Institutional Support)

9:00 a.m.–10:00 a.m.: Summary/Proposing Team to Critical Feedback

10:00 a.m.–4:00 p.m.: Site Review Team Prepares Site Visit Report (Working Lunch Provided)

4:15 p.m.: Presentation of Site Visit Report to Principal Investigator

[FR Doc. 2018-06938 Filed 4-4-18; 8:45 am]

BILLING CODE 7555-01-P

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review, Request for Comments

Summary: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) is forwarding an Information Collection Request (ICR) to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB). Our ICR describes the information we seek to collect from the public. Review and approval by OIRA ensures that we impose appropriate paperwork burdens.

The RRB invites comments on the proposed collections of information to determine (1) the practical utility of the collections; (2) the accuracy of the estimated burden of the collections; (3) ways to enhance the quality, utility, and clarity of the information that is the subject of collection; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology. Comments to the RRB or OIRA must contain the OMB control number of the ICR. For proper consideration of your comments, it is best if the RRB and OIRA receive them within 30 days of the publication date.

1. Title and purpose of information collection: Railroad Service and Compensation Reports/System Access Application; OMB 3220-0008.

Under Section 9 of the Railroad Retirement Act (RRA) and Section 6 of the Railroad Unemployment Insurance Act (RUIA), the Railroad Retirement Board (RRB) maintains for each railroad employee, a record of compensation paid to that employee by all railroad employers for whom the employee worked after 1936. This record, which is used by the RRB to determine eligibility for, and amount of, benefits due under the laws it administers, is conclusive as to the amount of compensation paid to an employee during such period(s) covered by the report(s) of the compensation by the employee's railroad employer(s), except in cases when an employee files a protest pertaining to his or her reported compensation within the statute of

limitations cited in Section 9 of the RRA and Section 6 of the RUIA.

To enable the RRB to establish and maintain the record of compensation, employers are required to file with the RRB, reports of their employees' compensation, in such manner and form and at such times as the RRB prescribes. Railroad employers' reports and responsibilities are prescribed in 20 CFR 209. The RRB currently utilizes Form BA-3, *Annual Report of Creditable Compensation*, and Form BA-4, *Report of Creditable Compensation Adjustments*, to secure the required information from railroad employers. Form BA-3 provides the RRB with information regarding annual creditable service and compensation for each individual who worked for a railroad employer covered by the RRA and RUIA in a given year. Form BA-4 provides for the adjustment of any previously submitted reports and also the opportunity to provide any service and compensation that had been previously omitted. Requirements specific to Forms BA-3 and BA-4 are prescribed in 20 CFR 209.8 and 209.9.

Employers currently have the option of submitting BA-3 and BA-4 reports electronically by CD-ROM, secure Email, File Transfer Protocol (FTP), or online via the RRB's Employer Reporting System (ERS).

The information collection also includes RRB Form BA-12, Application for Employer Reporting internet Access, and Form G-440, Report Specifications Sheet. Form BA-12 is completed by railroad employers to obtain system access to ERS. Once access is obtained, authorized employees may submit reporting forms online to the RRB. The form determines what degree of access (view/only, data entry/modification or approval/submission) is appropriate for that employee. It is also used to terminate an employee's access to ERS. Form G-440, Report Specifications Sheet, serves as a certification document for Forms BA-3 and BA-4 as well as other RRB employer reporting forms (Form BA-6a, BA-6 Address Report (OMB 3220-0005), Form BA-9, Report of Separation Allowance or Severance Pay (OMB 3220-0173) and Form BA-11, Report of Gross Earnings (OMB 3220-0132)). It records the type of medium the report was submitted on, and serves as a summary recapitulation sheet for reports filed on paper.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (83 FR 3778 on January 26, 2018) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Railroad Service and Compensation Reports/System Access Application.

OMB Control Number: 3220-0008.

Form(s) submitted: BA-3, BA-3 (Internet), BA-4, BA-4 (Internet), BA-12 and G-440.

Type of request: Revision of a currently approved collection.

Affected public: Private Sector; Businesses or other for-profits.

Abstract: Under the Railroad Retirement Act and the Railroad Unemployment Insurance Act, employers are required to report service and compensation for each employee to update Railroad Retirement Board records for payments of benefits. The collection obtains service and compensation information and information needed to ensure secure system access from employers who voluntarily opt to use the RRB's internet-based Employer Reporting System to submit reporting forms and information needed to certify employer reporting transactions.

Changes proposed: The RRB proposes minor non-burden impacting changes to Form BA-12 and G-440.

The burden estimate for the ICR is as follows:

Reporting	Responses	Time (minutes) ¹	Burden (hours)
BA-3:			
Electronic Media ²	96	46.25 (2,775)	4,440
BA-3 (Internet)	617	46.25 (2,775)	28,536
Total BA-3	713		32,976
BA-4:			
Paper	40	1.25 (75)	50
Electronic Media ²	345	1.00 (60)	345
BA-4 (Internet)	3,912	.33 (20)	1,304
Total BA-4	4,297		1,699
BA-12:			
Initial Access	295	.33 (20)	98
Access Termination	38	.166 (10)	7
Total BA-12	333		105
G-440 (certification):			
Form BA-3 (zero employees)	19	.25 (15)	5
Form BA-11 (zero employees)	60	.25 (15)	15
Paper forms (without recap)	7	.25 (15)	1
Electronic transactions	94	.50 (30)	47
BA-3 and BA-4 (with recap)	125	1.25 (75)	156
Total G-440	305		224
Grand Total	5,648		35,074

2. Title and purpose of information collection: Application for Benefits Due But Unpaid at Death; OMB 3220-0055.
 Under Section 2(g) of the Railroad Unemployment Insurance Act, benefits that accrued but were not paid because of the death of the employee shall be paid to the same individual(s) to whom benefits are payable under Section 6(a)(1) of the Railroad Retirement Act. The provisions relating to the payment of such benefits are prescribed in 20 CFR 325.5 and 20 CFR 335.5. The RRB provides Form UI-63, Application for Benefits Due But Unpaid at Death, to those applying for the accrued sickness or unemployment benefits unpaid at the

death of the employee and for obtaining the information needed to identify the proper payee. One response is requested of each respondent. Completion is required to obtain a benefit.
Previous Requests for Comments: The RRB has already published the initial 60-day notice (83 FR 3779 on January 26, 2018) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Application for Benefits Due but Unpaid at Death.
OMB Control Number: 3220-0055.
Form(s) submitted: UI-63.

Type of request: Extension without change of a currently approved collection.

Affected public: Individuals or Households.

Abstract: The collection obtains the information needed by the Railroad Retirement Board to pay benefits accrued under section 2(g) of the Railroad Unemployment Insurance Act, but not paid because of the death of the employee.

Changes proposed: The RRB proposes no changes to Form UI-63.

The burden estimate for the ICR is as follows:

Form No.	Annual responses	Time (minutes)	Burden (hours)
UI-63	15	7	2

3. Title and purpose of information collection: Medicare; OMB 3220-0082.

Under Section 7(d) of the Railroad Retirement Act (RRA), the Railroad Retirement Board (RRB) administers the Medicare program for persons covered by the railroad retirement system. The RRB uses Form AA-6, Employee Application for Medicare; Form AA-7, Spouse/Divorced Spouse Application for Medicare; and Form AA-8, Widow/Widower Application for Medicare; to obtain the information needed to determine whether individuals who have not yet filed for benefits under the RRA are qualified for Medicare payments provided under Title XVIII of the Social Security Act.

Further, in order to determine if a qualified railroad retirement beneficiary who is claiming supplementary medical insurance coverage under Medicare is entitled to a Special Enrollment Period (SEP) and/or premium surcharge relief

because of coverage under an Employer Group Health Plan (EGHP), the RRB needs to obtain information regarding the claimant's EGHP coverage, if any. The RRB uses Form RL-311-F, Evidence of Coverage Under An Employer Group Health Plan, to obtain the basic information needed to establish EGHP coverage for a qualified railroad retirement beneficiary.

Completion of the forms is required to obtain a benefit. One response is requested of each respondent.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (83 FR 3779 on January 26, 2018) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Medicare.
OMB Control Number: 3220-0082.
Form submitted: AA-6, AA-7, AA-8 and RL-311-F.

Type of request: Extension without change of a currently approved collection.

Affected public: Individuals or Households; Businesses or other for profits.

Abstract: The Railroad Retirement Board administers the Medicare program for persons covered by the railroad retirement system. The forms in the collection obtain both information needed to enroll non-retired employees and survivor applicants in the plan and information from railroad employers needed to determine if a railroad retirement beneficiary is entitled to a special enrollment period when applying for supplemental medical coverage under Medicare.

Changes proposed: The RRB proposes no changes to the forms in the collection.

The burden estimate for the ICR is as follows:

Form No.	Annual responses	Time (minutes)	Burden (hours)
AA-6	180	8	24
AA-7	50	8	7
AA-8	10	8	1
RL-311-F	2,000	10	333
Total	2,240	.....	365

4. Evidence for Application of Overall Minimum: OMB 3220-0083.

Under Section 3(f)(3) of the Railroad Retirement Act (RRA), the total monthly benefits payable to a railroad employee and his/her family are guaranteed to be no less than the amount which would be payable if the employee's railroad service had been covered by the Social

Security Act. This is referred to as the Social Security Overall Minimum Guarantee, which is prescribed in 20 CFR 229. To administer this provision, the Railroad Retirement Board (RRB) requires information about a retired employee's spouse and child(ren) who would not be eligible for benefits under the RRA but would be eligible for

benefits under the Social Security Act if the employee's railroad service had been covered by that Act. The RRB obtains the required information by the use of Forms G-319, Statement Regarding Family and Earnings for Special Guaranty Computation, and G-320, Student Questionnaire for Special Guaranty Computation. One response is

required of each respondent. Completion is required to obtain or retain benefits. The RRB proposes no changes to Forms G-319 and G-320.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (83 FR 3779 on January 26, 2018) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Evidence for Application of Overall Minimum.
OMB Control Number: 3220-0083.
Forms submitted: G-319 and G-320.
Type of request: Extension without change of a currently approved collection.
Affected public: Individuals or Households.
Abstract: Under Section 3(f)(3) of the Railroad Retirement Act, the total

monthly benefits payable to a railroad employee and his/her family are guaranteed to be no less than the amount which would be payable if the employee's railroad service had been covered by the Social Security Act.

Changes proposed: The RRB proposes no changes to the forms in the collection.

The burden estimate for the ICR is as follows:

Form No.	Annual responses	Time (minutes)	Burden (hours)
G-319 (completed by the employee):			
With assistance	5	26	2
Without assistance	230	55	211
G-319 (completed by spouse):			
With assistance	5	30	2
Without assistance	10	60	10
G-320:			
(Age 18 at Special Guaranty Begin Date or Special Guaranty Age 18 Attainments)	30	15	7
G-320:			
(Student Monitoring done in Sept, March and at end of school year)	10	15	2
Total	290	.....	234

5. Title and purpose of information collection: Request to Non-Railroad Employer for Information About Annuitant's Work and Earnings; OMB 3220-0107.

Under Section 2 of the Railroad Retirement Act (RRA), a railroad employee's retirement annuity or an annuity paid to the spouse of a railroad employee is subject to work deductions in the Tier II component of the annuity and any employee supplemental annuity for any month in which the annuitant works for a Last Pre-Retirement Non-Railroad Employer (LPE). The LPE is defined as the last person, company, or institution, other than a railroad employer, that employed an employee or spouse annuitant. In addition, the employee, spouse, or divorced spouse Tier I annuity benefit is subject to work deductions under Section 2(f)(1) of the RRA for earnings from any non-railroad employer that are over the annual exempt amount. The regulations pertaining to non-payment

of annuities by reason of work and LPE are contained in 20 CFR 230.1 and 230.2.

The RRB utilizes Form RL-231-F, Request to Non-Railroad Employer for Information About Annuitant's Work and Earnings, to obtain the information needed to determine if a work deduction should be applied because an annuitant worked in non-railroad employment after the annuity beginning date. One response is requested of each respondent. Completion is voluntary. The RRB proposes no changes to Form RL-231-F.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (83 FR 3780 on January 26, 2018) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Request to Non-Railroad Employer for Information About Annuitant's Work and Earnings.

OMB Control Number: 3220-0107.

Form(s) submitted: RL-231-F.

Type of request: Extension without change of a currently approved collection.

Affected public: Private Sector; Businesses or other for-profits, Not-for-profit institutions.

Abstract: Under the Railroad Retirement Act (RRA), benefits are not payable if an annuitant works for an employer covered under the RRA or last non-railroad employer. The collection obtains information regarding an annuitant's work and earnings from a non-railroad employer. The information is used to determine whether benefits should be withheld.

Changes proposed: The RRB proposes no changes to Form RL-231-F.

The burden estimate for the ICR is as follows:

Form No.	Annual responses	Time (minutes)	Burden (hours)
RL-231-F	300	30	150

6. Title and purpose of information collection: Gross Earnings Report; OMB 3220-0132.

In order to carry out the financial interchange provisions of section 7(c)(2) of the Railroad Retirement Act (RRA), the RRB obtains annually from railroad

employer's the gross earnings for their employees on a one-percent basis, i.e., 1% of each employer's railroad employees. The gross earnings sample is based on the earnings of employees whose social security numbers end with the digits "30." The gross earnings are

used to compute payroll taxes under the financial interchange.

The gross earnings information is essential in determining the tax amounts involved in the financial interchange with the Social Security Administration and Centers for

Medicare & Medicaid Services. Besides being necessary for current financial interchange calculations, the gross earnings file tabulations are also an integral part of the data needed to estimate future tax income and corresponding financial interchange amounts. These estimates are made for internal use and to satisfy requests from other government agencies and interested groups. In addition, cash flow projections of the social security equivalent benefit account, railroad retirement account and cost estimates made for proposed amendments to laws administered by the RRB are dependent on input developed from the information collection.

The RRB utilizes Form BA-11 to obtain gross earnings information from railroad employers. Employers have the option of preparing and submitting BA-

11 reports online via the RRB's Employer Reporting System or on paper (or in like format) on magnetic tape cartridges, by File Transfer Protocol (FTP), or secure Email. The online BA-11 includes the option to file a "negative report" (no employees, or no employees with the digits "30"). Completion is mandatory. One response is requested of each respondent.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (83 FR 3780 on January 26, 2018) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Gross Earnings Report.
OMB Control Number: 3220-0132.
Form(s) submitted: BA-11, BA-11 (Internet).

Type of request: Extension without change of a currently approved collection.

Affected public: Private Sector; Businesses or other for-profits.

Abstract: Section 7(c)(2) of the Railroad Retirement Act requires a financial interchange between the OASDHI trust funds and the railroad retirement account. The collection obtains gross earnings of railway employees on a 1% basis. The information is used to determine the amount which would place the OASDHI trust funds in the position they would have been if railroad service had been covered by the Social Security and FIC Acts.

Changes proposed: The RRB proposes no changes to Form BA-11.

The burden estimate for the ICR is as follows:

Form No.	Annual responses	Time (minutes)	Burden (hours)
BA-11 File Transfer Protocol	7	300 (5 hours)	35
BA-11 CD-ROM	5	30	2
BA-11 secure Email	5	30	2
BA-11 (Internet)—Positive	137	30	68
BA-11 (Internet)—Negative	329	15	82
Total	483	.....	189

Additional Information or Comments: Copies of the forms and supporting documents can be obtained from Dana Hickman at (312) 751-4981 or Dana.Hickman@RRB.GOV.

Comments regarding the information collection should be addressed to Brian Foster, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-1275 or Brian.Foster@rrb.gov and to the OMB Desk Officer for the RRB, Fax: 202-395-6974, Email address: OIRA_Submission@omb.eop.gov.

Brian D. Foster,
Clearance Officer.

[FR Doc. 2018-06919 Filed 4-4-18; 8:45 am]

BILLING CODE 7905-01-P

RAILROAD RETIREMENT BOARD

Sunshine Act: Notice of Public Meeting

Notice is hereby given that the Railroad Retirement Board will hold a meeting on April 18, 2018, 10:00 a.m. at the Board's meeting room on the 8th floor of its headquarters building, 844 North Rush Street, Chicago, Illinois 60611. The agenda for this meeting follows:

Portion open to the public:

- (1) Executive Committee Reports

The person to contact for more information is Martha Rico-Parra, Secretary to the Board, Phone No. 312-751-4920.

For The Board.
 Dated: April 3, 2018.

Martha Rico-Parra,
Secretary to the Board.

[FR Doc. 2018-07047 Filed 4-3-18; 11:15 am]

BILLING CODE 7905-01-P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: 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 Fixed Income Market Structure Advisory Committee ("FIMSAC") will hold a public meeting on Monday, April 9, 2018 at 9:30 a.m.

PLACE: The meeting will be held in Multi-Purpose Room LL-006 at the Commission's headquarters, 100 F Street NE, Washington, DC.

STATUS: The meeting will begin at 9:30 a.m. and will be open to the public. Seating will be on a first-come, first-

served basis. Doors will open at 9:00 a.m. Visitors will be subject to security checks. The meeting will be webcast on the Commission's website at www.sec.gov.

MATTERS TO BE CONSIDERED: On March 15, 2018, the Commission published notice of the Committee meeting (Release No. 34-82884), indicating that the meeting is open to the public and inviting the public to submit written comments to the Committee. This Sunshine Act notice is being issued because a majority of the Commission may attend the meeting.

The agenda for the meeting will focus on updates and presentations from the three FIMSAC subcommittees.

CONTACT PERSON FOR MORE INFORMATION: For further information, please contact Brent J. Fields from the Office of the Secretary at (202) 551-5400.

Dated: April 2, 2018.

Brent J. Fields,
Secretary.

[FR Doc. 2018-07008 Filed 4-3-18; 11:15 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-82976; File No. SR-NASDAQ-2018-023]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Modify the Disclosure Services Offered To Certain New Listings

March 30, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),¹ and Rule 19b-4 thereunder,² notice is hereby given that, on March 20, 2018, 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 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 modify the disclosure services provided under IM-5900-7 to certain new listings. While these amendments are effective upon filing, the Exchange has designated the proposed amendments to be operative for new listings on or after April 23, 2018.

The text of the proposed rule change is available on the Exchange’s website at <http://nasdaq.cchwallstreet.com>, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Nasdaq offers complimentary services under IM-5900-7 to companies listing on the Nasdaq Global and Global Select Markets in connection with an initial public offering (other than a company listed under IM-5101-2), upon emerging from bankruptcy, in connection with a spin-off or carve-out from another company, or in conjunction with a business combination that satisfies the conditions in Nasdaq IM-5101-2(b) (“Eligible New Listings”) and to companies (other than a company listed under IM-5101-2) switching their listing from the New York Stock Exchange (“NYSE”) to the Global or Global Select Markets (“Eligible Switches”).³ Nasdaq believes that the complimentary service program offers valuable services to newly listing companies, designed to help ease the transition of becoming a public company or switching markets, and makes listing on Nasdaq more attractive to these companies. The services offered include a whistleblower hotline, investor relations website, disclosure services for earnings or other press releases, webcasting, market analytic tools, and may include market advisory tools such as stock surveillance (collectively the “Service Package”).⁴

As part of the Service Package, Eligible New Listings and Eligible Switches with a market capitalization less than \$750 million currently receive a \$15,000 annual stipend for disclosure services; Eligible New Listings and Eligible Switches with a market capitalization of \$750 million or more currently receive a \$20,000 annual stipend for disclosure services. These stipends can be used “for disclosure services for earnings or other press releases, including photographs, and filing of EDGAR and XBRL reports.” Customers have indicated that the annual stipend makes it difficult for them to know what specifically they will receive and also to compare the

Nasdaq Service Package with similar offerings from competitors. Based on this feedback, Nasdaq proposes to modify the disclosure services offered so that instead of an annual stipend to spend on any disclosure services, companies instead will receive a pre-determined package of disclosure services for earnings or other press releases and the filing of related regulatory reports.⁵ The revised package of services will maintain the same approximate retail value as the amount of the stipend currently provided. All companies in the same market capitalization tier will be eligible for the same package of services.

The proposed rule change will be operative for new listings on or after April 23, 2018. Companies that list before that date will continue to receive services as described in the current rule.

Nasdaq also proposes to make non-substantive changes to the rule text to specify that the 2016 package is no longer the current package of for companies listing on or after April 23, 2018, and to clarify which package is provided to a company with exactly \$750 million market capitalization.

2. Statutory Basis

Nasdaq believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,⁶ in general, and Sections 6(b)(4),⁷ 6(b)(5),⁸ and 6(b)(8),⁹ in particular, in that the proposal is designed, among other things, to provide for the equitable allocation of reasonable dues, fees, and other charges among Exchange members and issuers and other persons using its facilities and to promote just and equitable principles of trade, and is not designed to permit unfair discrimination between issuers, and that the rules of the Exchange do not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

Nasdaq faces competition in the market for listing services,¹⁰ and competes, in part, by offering valuable services to companies. Nasdaq believes that it is reasonable to offer

⁵ Regulatory reports include XBRL and EDGAR filings and could also include filings with non-U.S. regulators or banking regulators.

⁶ 15 U.S.C. 78f.

⁷ 15 U.S.C. 78f(4).

⁸ 15 U.S.C. 78f(5).

⁹ 15 U.S.C. 78f(8).

¹⁰ The Justice Department has noted the intense competitive environment for exchange listings. See “NASDAQ OMX Group Inc. and IntercontinentalExchange Inc. Abandon Their Proposed Acquisition Of NYSE Euronext After Justice Department Threatens Lawsuit” (May 16, 2011), available at http://www.justice.gov/atr/public/press_releases/2011/271214.htm.

³ See Exchange Act Release No. 65963 (December 15, 2011), 76 FR 79262 (December 21, 2011) (SR-NASDAQ-2011-122) (adopting IM-5900-7); Exchange Act Release No. 72669 (July 24, 2014), 79 FR 44234 (July 30, 2014) (SR-NASDAQ-2014-058) (adopting changes to IM-5900-7); Exchange Act Release No. 78806 (September 9, 2016), 81 FR 63523 (September 15, 2016) (SR-NASDAQ-2016-098); Exchange Act Release No. 79366 (November 21, 2016), 81 FR 85663 (November 28, 2016) (SR-NASDAQ-2016-106).

⁴ In addition, all companies listed on Nasdaq receive services from Nasdaq, including Nasdaq Online and the Market Intelligence Desk.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

complimentary services to attract and retain listings as part of this competition. All similarly situated companies are eligible for the same package of services and the eligibility of companies for services is not changing under this proposed rule change. In addition, while under the proposed change a package of disclosure services will be offered instead of a stipend, the types of services and the approximate retail value of the services offered will not change. Accordingly, Nasdaq does not believe this update has an effect on the allocation of fees nor does it permit unfair discrimination and the proposed rule change is consistent with the requirements of Section 6(b)(4) and (5) of the Act.

Nasdaq represents, and this proposed rule change will help ensure, that individual listed companies are not given specially negotiated packages of products or services to list, or remain listed, which the Commission has previously stated would raise unfair discrimination issues under the Act.¹¹

Further, the disclosure services offered in the Services Package reflect the current competitive environment for exchange listings among national securities exchanges, and is appropriate and consistent with Section 6(b)(8) in furtherance of the purposes of the Act. Specifically, based on customer feedback, Nasdaq believes that the revised rule will be more transparent to customers and better enable customers to compare offerings from various exchanges. Nasdaq also believes that this enhanced transparency will promote just and equitable principles of trade as required by Section 6(b)(5) of the Act.

Finally, Nasdaq notes that the proposed non-substantive changes to the rule text to specify that the 2016 package is no longer the current package for companies listing on or after April 23, 2018, and to clarify which package is provided to a company with exactly \$750 million market capitalization are consistent with Section 6(b)(5) of the Act because they will clarify the rule without making any substantive change.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose

¹¹ See Exchange Act Release No. 79366, 81 FR 85663 at 85665 (citing Securities Exchange Act Release No. 65127 (August 12, 2011), 76 FR 51449, 51452 (August 18, 2011) (approving NYSE-2011-20)).

any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. As noted above, Nasdaq faces competition in the market for listing services, and competes, in part, by offering valuable services to companies. Nasdaq believes that the proposed rule change will make the rule text more transparent to customers and better enable customers to compare offerings from various exchanges, which reflects that competition, but does not impose any burden on the competition with other exchanges.

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) of the Act¹² and Rule 19b-4(f)(6) thereunder.¹³

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.

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:

¹² 15 U.S.C. 78s(b)(3)(A).

¹³ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of 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.

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-NASDAQ-2018-023 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-2018-023. 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 website (<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 website 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NASDAQ-2018-023, and should be submitted on or before April 26, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁴

Eduardo Aleman,
Assistant Secretary.

[FR Doc. 2018-06917 Filed 4-4-18; 8:45 am]

BILLING CODE 8011-01-P

¹⁴ 17 CFR 200.30-3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82974; File No. SR–CBOE–2018–021]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Amending Rules Regarding Market-Maker Quoting Obligations

March 30, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”),¹ and Rule 19b-4 thereunder,² notice is hereby given that on March 27, 2018, Cboe Exchange, Inc. (the “Exchange” or “Cboe Options”) 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 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 rules regarding Market-Maker quoting obligations. (additions are *italicized*; deletions are [bracketed])

* * * * *

Cboe Exchange, Inc.

Rules

* * * * *

Rule 1.1. Definitions

(a)–(bbb) (No change).

Continuous Electronic Quotes

(ccc) With respect to a Market-Maker who is obligated to provide continuous electronic quotes on the Hybrid Trading System (“Hybrid Market-Maker”), the Hybrid Market-Maker shall be deemed to have provided “continuous electronic quotes” if the Hybrid Market-Maker provides electronic two-sided quotes for 90% of the time that the Hybrid Market-Maker is required to provide electronic quotes in an appointed option class on a given trading day during the applicable trading session. Compliance with this quoting obligation applies to all of a Hybrid Market-Maker’s appointed classes collectively (with respect to each Market-Maker type as the Hybrid Market-Maker is approved to act). The Exchange will determine compliance by a Hybrid Market-Maker with this quoting obligation on a monthly basis. However, determining compliance with this obligation on a monthly basis does not relieve a Hybrid Market-Maker from meeting this obligation on a daily basis, nor does it prohibit the Exchange from taking

disciplinary action against a Hybrid Market-Maker for failing to meet this obligation each trading day. *Hybrid Market-Maker continuous electronic quoting obligations may be satisfied by Market-Makers either individually or collectively with Market-Makers of the same TPH organization.*

If a technical failure or limitation of a system of the Exchange prevents the Hybrid Market-Maker from maintaining, or prevents the Hybrid Market-Maker from communicating to the Exchange, timely and accurate electronic quotes in a class, the duration of such failure shall not be considered in determining whether the Hybrid Market-Maker has satisfied the 90% quoting standard with respect to that option class. The Exchange may consider other exceptions to this continuous electronic quote obligation based on demonstrated legal or regulatory requirements or other mitigating circumstances.

(ddd)–(cccc) (No change).

. . . Interpretations and Policies:

.01–.06 (No change).

* * * * *

Rule 8.7. Obligations of Market-Makers

(a)–(c) (No change).

(d) Market-Making Obligations in Applicable Hybrid Classes

The following obligations in this paragraph (d) are only applicable to Market-Makers trading classes on the Cboe Options Hybrid System and only in those Hybrid classes. Unless otherwise provided in this Rule, Market-Makers trading classes on the Hybrid System remain subject to all obligations imposed by Cboe Options Rule 8.7. To the extent another obligation contained elsewhere in Rule 8.7 is inconsistent with an obligation contained in paragraph (d) of Rule 8.7 with respect to a class trading on Hybrid, this paragraph (d) shall govern trading in the Hybrid class.

For Regular Trading Hours, these requirements are applicable on a per class basis, except as set forth in paragraph (ii)(B) below, depending upon the percentage of volume a Market-Maker transacts in an appointed class during Regular Trading Hours electronically versus in open outcry. With respect to making this determination, the Exchange will monitor a Market-Maker’s trading activity in each appointed class during Regular Trading Hours every calendar quarter to determine whether it exceeds the threshold established in paragraph (d)(i). If a Market-Maker exceeds the threshold established below, the obligations contained in (d)(ii) will be effective the next calendar quarter.

For a period of ninety (90) days commencing immediately after a class begins trading on the Hybrid system, the provisions of paragraph (d)(i) shall govern trading in that class.

(i) (No change).

(ii) Market-Maker Trades More Than 20% Contract Volume in an Appointed Class Electronically:

If a Market-Maker on the Cboe Options Hybrid System transacts more than 20% of the Market-Maker’s contract volume electronically in an appointed Hybrid class during Regular Trading Hours during any

calendar quarter, commencing the next calendar quarter the Market-Maker will be subject to the following quoting obligations in that class for as long as the Market-Maker maintains an appointment in that class:

(A) (No change).

(B) Continuous Electronic Quoting Obligation: A Market-Maker will be required to maintain continuous electronic quotes (as defined in Rule 1.1(ccc)) in 60% of the non-adjusted option series of the Market-Maker’s appointed classes that have a time to expiration of less than nine months. Compliance with this quoting obligation applies to all of a Market-Maker’s appointed classes collectively (for which it must maintain continuous electronic quotes pursuant to this paragraph (ii)(B)). The Exchange will determine compliance by a Market-Maker with this quoting obligation on a monthly basis. However, determining compliance with this quoting obligation on a monthly basis does not relieve a Market-Maker from meeting this obligation on a daily basis, nor does it prohibit the Exchange from taking disciplinary action against a Market-Maker for failing to meet this obligation each trading day. The initial size of a Market-Maker’s quote must be for the minimum number of contracts determined by the Exchange on a class by class basis, which minimum shall be at least one contract. This obligation does not apply to intra-day add-on series on the day during which such series are added for trading. *Market-Maker continuous electronic quoting obligations may be satisfied by Market-Makers either individually or collectively with Market-Makers of the same TPH organization.*

(C) (No change).

(iii)–(iv) (No change).

. . . Interpretations and Policies:

.01–.12 (No change).

* * * * *

Rule 8.13. Preferred Market-Maker Program

(a)–(c) (No change).

(d) Quoting Obligations: The Preferred Market-Maker must comply with the quoting obligations applicable to its Market-Maker type under Exchange rules and must provide continuous electronic quotes (as defined in Rule 1.1(ccc)) in at least the lesser of 99% of the non-adjusted option series that have a time to expiration of less than nine months or 100% of the non-adjusted option series that have a time to expiration of less than nine months minus one call-put pair, with the term “call-put pair” referring to one call and one put that cover the same underlying instrument and have the same expiration date and exercise price. This obligation does not apply to intra-day add-on series on the day during which such series are added for trading. Compliance with this quoting obligation applies to all of a Preferred Market-Maker’s classes for which it receives Preferred Market-Maker orders collectively. The Exchange will determine compliance by a Preferred Market-Maker with this quoting obligation on a monthly basis. However, determining compliance with this obligation on a monthly basis does not relieve a Preferred Market-Maker from meeting this quoting obligation on a daily basis, nor does it prohibit the Exchange from taking

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

disciplinary action against a Preferred Market-Maker for failing to meet this obligation each trading day. *Preferred Market-Maker continuous electronic quoting obligations may be satisfied by Preferred Market-Makers either individually or collectively with Preferred Market-Makers of the same TPH organization.*

. . . *Interpretations and Policies:*
.01-.03 (No change).

* * * * *

Rule 8.15. Lead Market-Makers

(a) (No change).

(b) LMM Obligations: Each LMM must fulfill all the obligations of a Market-Maker under the Rules and satisfy each of the following requirements:

(i) provide continuous electronic quotes (as defined in Rule 1.1 (ccc)) in at least the lesser of 99% of the non-adjusted option series or 100% of the non-adjusted option series minus one call-put pair, with the term “call-put pair” referring to one call and one put that cover the same underlying instrument and have the same expiration date and exercise price. This obligation does not apply to intra-day add-on series on the day during which such series are added for trading. Compliance with this quoting obligation applies to all of an LMM’s appointed classes on each platform collectively. The Exchange will determine compliance by an LMM with this quoting obligation on a monthly basis. However, determining compliance with this obligation on a monthly basis does not relieve an LMM from meeting this obligation on a daily basis, nor does it prohibit the Exchange from taking disciplinary action against an LMM for failing to meet this obligation each trading day. In option classes in which both an On-Floor LMM and an Off-Floor DPM or Off-Floor LMM have been appointed, the On-Floor LMM will not be obligated to comply with this paragraph (b)(i) and instead will be obligated to comply with the obligations of Market-Makers in Rule 8.7(d). [.] In an option class in which the Exchange appointed an On-Floor LMM that has open-outcry obligations only, that On-Floor LMM will not be obligated to comply with this paragraph (b)(i) and instead will be obligated to comply with the obligations of Market-Makers in Rule 8.7(d) and have a designee in the class’s crowd on the trading floor for the entire trading day (except for a de minimis amount of time). *Lead Market-Maker continuous electronic quoting obligations may be satisfied by Lead Market-Makers either individually or collectively with Lead Market-Makers of the same TPH organization;*

(ii)-(viii) (No change).

(c)-(d) (No change).

. . . *Interpretations and Policies:*
.01-.04 (No change).

* * * * *

Rule 8.85. DPM Obligations

(a) Dealer Transactions. Each DPM must fulfill all of the obligations of a Market-Maker under the Rules, and must satisfy each of the following requirements in respect of each of the securities allocated to the DPM. To the extent that there is any inconsistency between the specific obligations of a DPM set

forth in subparagraphs (a)(i) through (a)(xi) of this Rule and the general obligations of a Market-Maker under the Rules, subparagraphs (a)(i) through (a)(xi) of this Rule will govern. Each DPM must:

(i) provide continuous electronic quotes (as defined in Rule 1.1(ccc)) in at least the lesser of 99% of the non-adjusted option series or 100% of the non-adjusted option series minus one call-put pair, with the term “call-put pair” referring to one call and one put that cover the same underlying instrument and have the same expiration date and exercise price, and assure that its disseminated market quotations are accurate. This obligation does not apply to intra-day add-on series on the day during which such series are added for trading. Compliance with this quoting obligation applies to all of a DPM’s allocated classes collectively. The Exchange will determine compliance by a DPM with this quoting obligation on a monthly basis. However, determining compliance with this obligation on a monthly basis does not relieve a DPM from meeting this obligation on a daily basis, nor does it prohibit the Exchange from taking disciplinary action against DPM for failing to meet this obligation each trading day. *DPM continuous electronic quoting obligations may be satisfied by DPM either individually or collectively with DPM Market-Makers of the same TPH organization;*

(ii)-(x) (No change).

(b)-(e) (No change).

. . . *Interpretations and Policies:*

.01-.02 (No change).

* * * * *

The text of the proposed rule change is also available on the Exchange’s website (<http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx>), at the Exchange’s Office of the Secretary, 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, and B 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

Cboe Options Rules 8.7(d)(ii)(B), 8.13(d), 8.15(b)(i), and 8.85(a)(i) set forth continuous electronic quoting obligations of Market-Makers, Preferred

Market-Makers (“PMMs”), Lead Market-Makers (“LMMs”), and Designated Primary Market-Makers (“DPMs”), respectively. Additionally, Rule 1.1(ccc) defines continuous electronic quotes as that term is used in those rules. Rule 8.1 defines a Market-Maker as an individual Trading Permit Holder or a TPH organization that is registered with the Exchange for the purpose of making transactions as a dealer-specialist on the Exchange in accordance with the provisions of Chapter VIII of the Rules. PMMs, LMMs, and DPMs are types of Market-Makers.

Historically, Cboe Options has interpreted the term “Market-Maker” with respect to continuous quoting obligations to apply on an individual basis. This interpretation is consistent with the previous definition of Market-Maker—Cboe Options Rule 8.1 previously defined a Market-Maker as an individual member or nominee of a member organization.³

After the Exchange amended its rules to state a Market-Maker may also be a TPH organization, it continued its interpretation of the term “Market-Maker” as referring to an individual Market-Maker with respect to continuous quoting obligations. This is implied by Rule 8.7, Interpretation and Policy .03(B)(i), which states the in-person requirements for Market-Makers in Hybrid 3.0 classes set forth in paragraph (B) may be satisfied by Market-Makers individually or collectively with the Market-Makers of the same TPH organization. In the filing in which the Exchange proposed to adopt that provision, the Exchange indicated it was proposing that provision in response to the Exchange’s expansion of the definition of Market-Maker to include TPH organizations.⁴ This implies the Exchange previously interpreted Market-Maker consistent with the previous definition, which was an individual. Limiting that provision to the in-person requirements for Market-Makers in Hybrid 3.0 classes also indicates the Exchange’s intention to only interpret Market-Maker as an individual or TPH organization for the purposes of those in-person obligations, but not change its interpretation of the term Market-Maker with respect to other

³ See Securities Exchange Act Release No. 57615 (April 3, 2008), 73 FR 19537 (April 10, 2008) (SR-CBOE-2008-120) (order approving proposed rule change relating to Market-Makers and Remote Market-Makers, which rule change amended the definition of Market-Maker in Rule 8.1 to include member (which are now known as Trading Permit Holders) organizations).

⁴ See Securities Exchange Act Release No. 57996 (June 20, 2008), 73 FR 36937 (June 30, 2008) (SR-CBOE-2008-59) (proposed rule change to adopt Rule 8.7, Interpretation and Policy .03(B)(i)).

obligations. As a result, the Exchange has continued to interpret the term Market-Maker with respect to continuous quoting obligations to mean an individual, despite the change to the definition of Market-Maker.

Cboe Options proposes to modify its interpretation of the term “Market-Maker” with respect to Market-Maker continuous electronic quoting obligations and instead interpret the term Market-Maker in a manner consistent with its definition, which includes both individuals and TPH organizations. Specifically, the proposed rule change amends the above-referenced rules regarding continuous electronic quoting obligations to state Market-Maker (or PMM, LMM, or DPM, as applicable) continuous electronic quoting obligations may be satisfied by Market-Makers either individually or collectively with Market-Makers of the same TPH organization. The Exchange believes it is reasonable to interpret the term Market-Maker with respect to continuous electronic quoting in this manner, as that is consistent with the current definition. The proposed interpretation is consistent with the current structure of TPH organizations registered as Market-Makers (as currently all individual Market-Makers are affiliated with a TPH organization, and thus TPH organizations are ultimately responsible for those Market-Makers) and will ensure a more consistent application of the definition of Market-Maker within the Cboe Rules.

Additionally, the proposed interpretation provides Market-Makers with flexibility to quote in their appointed classes in a manner consistent with their business operations, particularly in classes with a large number of series. For example, the Exchange intends to convert trading of SPX options from the Hybrid 3.0 trading platform to the Hybrid trading system. There are currently over 7,000 series within the SPX option group trading on the Hybrid 3.0 platform, on which Market-Makers may not stream electronic quotes. Upon conversion of SPX to Hybrid, Market-Makers will be able to select electronic appointments in this group and stream electronic quotes, subject to continuous electronic quoting obligations in Rule 8.7(d). Given the large number of SPX series, the Exchange understands a Market-Maker firm may decide to have individuals associated with the firm submit SPX quotes in different series using different acronyms. On an aggregate basis, the quotes submitted through those various acronyms would satisfy the firm’s electronic quoting obligations. For

example, a Market-Maker firm has acronyms ABC, DEF, and GHI registered for three individuals associated with that firm. The firm’s plan is for these individuals to stream quotes in class XYZ as follows: ABC will quote in the near three month series (months one through three), DEF will quote in the middle three month series (months four through six), and GHI will quote in the far three month series (months seven through nine).⁵ Assume each acronym submits electronic quotes in 300 series for 90% of the trading day, which combines for 900 series out of 1,000 total series listed for trading in class XYZ (*i.e.*, 90% of series) for the Market-Maker firm. On an aggregate basis, this satisfies the firm’s obligation to quote in at least 60% of series for 90% of the trading day.

Modifying the interpretation of the term Market-Maker to apply on a firm basis with respect to continuous electronic quoting obligations is also consistent with rules of other exchanges. For example, under the rules of Cboe-affiliated options exchanges Cboe BZX Exchange, Inc. (“BZX Options”) and Cboe EDGX Exchange, Inc. (“EDGX Options”), a Market-Maker by definition may only be an entity,⁶ and thus the rules with respect to continuous electronic quoting obligations apply on a firm basis. Additionally, Cboe-affiliated options exchange Cboe C2 Exchange, Inc. has historically only had trading firms registered as Market-Makers, and thus has interpreted the term Market-Maker to mean Trading Permit Holder organization.⁷ Cboe Options is modifying its interpretation of the term Market-Maker with respect to continuous electronic quoting obligations to mean TPH organization where applicable to provide greater

⁵ Rule 8.7(d)(ii) requires continuous electronic quotes in the series with expirations no further than nine months.

⁶ See BZX and EDGX Rules 16.1(a)(38) (defining “Options Member” as a firm, or organization registered with the Exchange pursuant to Chapter XVII of EDGX rules, for purposes of participating in EDGX Options as an “Options Order Entry Firm” or “Options Market-Maker”) and (37) (defining “Options Market Maker” as an Options Member, which may only be a firm, registered with the Exchange for the purpose of making markets in options contracts traded on the Exchange and that is vested with the rights and responsibilities specified in Chapter XXII of the EDGX rules); see also BZX and EDGX Rules 22.2 (stating that Options Members (which may only be firms) may register as Market Makers) and 22.5 (describing obligations of Market-Makers, which may only be firms by virtue of the definitions of Market-Maker and Options Member).

⁷ Various Trading Permit Holders have also informed the Exchange that other options exchanges similarly interpret their continuous electronic quoting rules to apply on a firm basis rather than individual basis.

harmonization between the rules of the Cboe-affiliated Exchanges and simplify the regulatory requirements of Market-Makers subject to Market-Maker continuous electronic quoting obligations across multiple Cboe-affiliated Exchanges. Additionally, as noted above, the Exchange’s current in-person quoting requirements may be satisfied by Market-Makers individually or collectively with Market-Makers of the same TPH organization.

While the proposed rule change is a modification of a current interpretation to Exchange rules, the Exchange proposes to include the interpretation in the applicable rules to provide clarity to Market-Makers regarding their obligations.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the “Act”) and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.⁸ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)⁹ requirements that the rules of an exchange be 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. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹⁰ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the proposed interpretation is consistent with the current definition of Market-Maker, which provides a Market-Maker may be an individual or a TPH organization. The proposed interpretation is also consistent with the current structure of TPH organizations registered as Market-Makers (as all individual Market-Makers are currently associated with TPH organizations) and will ensure a more consistent application of the definition of Market-Maker within the Cboe Rules.

The Exchange does not propose to modify continuous electronic quoting

⁸ 15 U.S.C. 78f(b).

⁹ 15 U.S.C. 78f(b)(5).

¹⁰ *Id.*

obligations, and does not believe the proposed modification to the interpretation of the term Market-Maker in those rules will diminish Market-Makers' obligations to provide continuous electronic quotes in a significant percentage of series for a significant part of the trading day. Rather, the proposed interpretation provides Market-Makers with flexibility to quote in their appointed classes in a manner consistent with their business operations, particularly in classes with a large number of series. The Exchange believes this may benefit efficiency of Market-Makers' quoting operations in those classes, as they can manage their quoting operations as they deem appropriate based on the nature of their businesses. The Exchange does not believe this proposed interpretation would reduce liquidity, because to the extent continuous quoting obligations may be satisfied collectively among Market-Makers associated with a TPH organization, the TPH organization would have to take into account the quotes of all associated Market-Makers when determining whether it is satisfying its continuous electronic quoting obligations.

The proposed interpretation removes impediments to and perfects the mechanisms of a free and open market and national market system, because other exchanges (*e.g.* BZX and EDGX) interpret the term Market-Maker to mean a member organization with respect to continuous quoting obligations. Cboe Options is modifying its interpretation of the term Market-Maker with respect to continuous electronic quoting obligations to mean THP organization where applicable in order to provide greater harmonization between the rules of the Cboe-affiliated Exchanges and simplify the regulatory requirements of Market-Makers subject to Market-Maker continuous electronic quoting obligations across multiple Cboe-affiliated Exchanges. Additionally, as noted above, the proposed interpretation is consistent with the Exchange's current in-person quoting requirements, which may be satisfied by Market-Makers individually or collectively with Market-Makers of the same TPH organization.

B. Self-Regulatory Organization's Statement on Burden on Competition

Cboe Options does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change will not impose any burden on intramarket competition, because the modified interpretation will

apply in the same manner to all Market-Makers subject to continuous electronic quoting obligations and is consistent with the current definition of Market-Maker. The Exchange does not propose to modify continuous electronic quoting obligations, and does not believe the proposed modification to the interpretation of the term Market-Maker in those rules will diminish Market-Makers' obligations to provide continuous electronic quotes in a significant percentage of series for a significant part of the trading day, and thus does not impact the balance of Market-Maker obligations and benefits. Rather, the proposed interpretation provides Market-Makers with flexibility to quote in their appointed classes in a manner consistent with their business operations, particularly in classes with a large number of series. The Exchange believes this may benefit efficiency of Market-Makers' quoting operations, particularly in those classes, as they can manage their quoting operations as they deem appropriate based on the nature of their businesses.

The proposed rule change regarding the interpretation of the term Market-Maker will not impose any burden on intermarket competition, because the modified interpretation of the term Market-Maker to mean TPH organization where applicable is consistent with that of other options exchanges, as noted above. Cboe Options is modifying its interpretation of the term Market-Maker with respect to continuous electronic quoting obligations to mean TPH organization where applicable in order to provide greater harmonization between the rules of the Cboe-affiliated Exchanges and simplify the regulatory requirements of Market-Makers subject to Market-Maker continuous electronic quoting obligations across multiple Cboe-affiliated Exchanges. Additionally, the proposed interpretation is consistent with the Exchange's in-person quoting requirements.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on 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)¹¹ of the Act and Rule 19b-4(f)(6) thereunder.¹²

A proposed rule change filed pursuant to Rule 19b-4(f)(6) under the Act¹³ normally does not become operative for 30 days after the date of its filing. However, Rule 19b-4(f)(6)(iii)¹⁴ 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 immediately upon filing. As discussed above, the Exchange notes that its proposal is consistent with rules of other exchanges.¹⁵ Because the proposal does not raise any new or novel issues, the Commission believes that waiver of the operative delay is consistent with the protection of investors and the public interest. Therefore, the Commission hereby waives the operative delay and designates the proposal operative upon filing.¹⁶

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:

¹¹ 15 U.S.C. 78s(b)(3)(A).

¹² 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, along with a brief description and the text of 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.

¹³ 17 CFR 240.19b-4(f)(6).

¹⁴ 17 CFR 240.19b-4(f)(6)(iii).

¹⁵ See *supra* note 6 and accompanying text.

¹⁶ For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-CBOE-2018-021 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-CBOE-2018-021. 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 website (<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 website 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-CBOE-2018-021 and should be submitted on or before April 26, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁷

Eduardo Aleman,

Assistant Secretary.

[FR Doc. 2018-06915 Filed 4-4-18; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 33063]

Notice of Applications for Deregistration Under Section 8(f) of the Investment Company Act of 1940

March 30, 2018.

The following is a notice of applications for deregistration under section 8(f) of the Investment Company Act of 1940 for the month of March 2018. A copy of each application may be obtained via the Commission's website by searching for the file number, or for an applicant using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090. An order granting each application will be issued unless the SEC orders a hearing. Interested persons may request a hearing on any application by writing to the SEC's Secretary at the address below and serving the relevant applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on April 24, 2018, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to Rule 0-5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: The Commission: Secretary, U.S. Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

FOR FURTHER INFORMATION CONTACT: Shawn Davis, Branch Chief, at (202) 551-6413 or Chief Counsel's Office at (202) 551-6821; SEC, Division of Investment Management, Chief Counsel's Office, 100 F Street NE, Washington, DC 20549-8010.

Croft Funds Corporation [File No. 811-08652]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On December 1, 2017, applicant made a liquidating distribution to its shareholders, based on net asset value. Expenses of \$3,764 incurred in connection with the liquidation were paid by the applicant's investment adviser.

Filing Dates: The application was filed on January 24, 2018, and amended on February 22, 2018.

Applicant's Address: Canton House, 300 Water Street, Baltimore, Maryland 21202.

Meehan Mutual Funds, Inc. [File No. 811-09575]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Meehan Focus Fund, a series of Ultimus Managers Trust, and, on October 20, 2017, made a final distribution to its shareholders based on net asset value. Expenses of \$133,418 incurred in connection with the reorganization were paid by the applicant's investment adviser.

Filing Date: The application was filed on February 22, 2018.

Applicant's Address: c/o Edgemoor Investment Advisors Inc., 7250 Woodmont Avenue, Suite 315, Bethesda, Maryland 20814.

LocalShares Investment Trust [File No. 811-22755]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On February 16, 2018, applicant made a liquidating distribution to its shareholders, based on net asset value. Expenses of \$46,500 incurred in connection with the liquidation were paid by the applicant's investment adviser.

Filing Date: The application was filed on March 5, 2018.

Applicant's Address: 4535 Harding Pike, Suite 201, Nashville, Tennessee 37205.

Transamerica AUIM Opportunistic Bond [File No. 811-22765]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicant has never made a public offering of its securities and does not propose to make a public offering or engage in business of any kind.

Filing Dates: The application was filed on January 24, 2018, and amended on March 7, 2018.

Applicant's Address: 1801 California Street, Suite 5200, Denver, Colorado 80202.

Waddell & Reed Advisors Funds [811-09435]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. Each series of applicant has transferred its assets to a corresponding series of Ivy Funds and, on October 10, 2017 and February 20,

¹⁷ 17 CFR 200.30-3(a)(12).

2018, made final distributions to its shareholders based on net asset value. Expenses of \$3,515,501.43 incurred in connection with the reorganization were paid by the applicant, the applicant's investment adviser, the acquiring fund, and the acquiring fund's investment adviser.

Filing Date: The application was filed on March 19, 2018.

Applicant's Address: 6300 Lamar Avenue, Overland Park, Kansas 66202

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Eduardo Aleman,
Assistant Secretary.

[FR Doc. 2018-06910 Filed 4-4-18; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-82975; File No. SR-Phlx-2018-22]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing of Proposed Rule Change To Create a New Rule 1081, To Amend Electronic Market Maker Obligations and Quoting Requirements for Electronic ROTs, Which Will Be Defined To Include SQTs, RSQTs, Directed SQTs, Directed RSQTs, Specialists, and Remote Specialists

March 30, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on March 20, 2018, Nasdaq PHLX LLC ("Phlx" or the "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 create a new Rule 1081, to amend electronic quoting for electronic ROTs, which will be defined to include SQTs, RSQTs, Directed SQTs, Directed RSQTs, Specialists and Remote Specialists.

The text of the proposed rule change is available on the Exchange's website at <http://nasdaqphlx.cchwallstreet.com/>, at the principal office of the Exchange,

and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this rule change is to reserve the current quoting obligations in Phlx Rule 1014(b)(ii)(D) and adopt new Phlx Rule 1081, which is currently reserved, to amend the current obligations of electronic ROTs on Phlx. The Exchange proposes to entitle Phlx Rule 1081, "Electronic Market Maker Obligations and Quoting" and adopt certain rule text similar to NASDAQ BX, Inc. ("BX") Rules at Chapter VII, Section 5 and quoting obligations similar to BX Rules at Chapter VII, Section 6 which [sic] describes the obligations of market makers. The Exchange notes that these obligations apply to quotations by of [sic] SQTs, RSQTs, Directed SQTs, Directed RSQTs, Specialists (hereinafter, "electronic ROTs") electronically through the Exchange's System.³ The Exchange notes that quotes submitted electronically by a Specialist, while on the trading floor, into the Exchange's System, would qualify toward the Specialist requirement. All Specialists are subject to the requirements of Phlx Rule 1081. Similarly all RSQTs are subject to the requirements of Phlx Rule 1081 as RSQTs by definition have no physical trading floor presence. SQTs by definition may generate and submit option quotations electronically in options to which such SQT is assigned while such SQT is physically present on the floor of the Exchange. The SQTs quotations are subject to the obligations contained in Rule 1081. Non-SQT ROTs⁴ are not subject to the quoting

requirements in proposed Rule 1081, rather they are subject to quarterly trading requirements which are specified in Commentary .01 to Phlx Rule 1014.

The Exchange proposes to adopt new sections (a) and (b) of Phlx Rule 1081 to specify the various obligations of electronic ROTs on Phlx. In registering as an electronic ROT, member organization [sic] commits to various obligations. Generally, the Exchange proposes to indicate that an electronic ROT's transactions, in its market making capacity,⁵ must constitute a course of dealings reasonably calculated to contribute to the maintenance of a fair and orderly market, and those member organizations should not make bids or offers or enter into transactions that are inconsistent with such course of dealings. The Exchange also proposes to note, similar to BX Rules at Chapter VII, Section 5(b) that electronic ROTs should not effect purchases or sales except in a reasonable and orderly manner. While this rule text is not explicitly noted in Phlx Rule 1014, the rule does today note at Phlx Rule 1014(a) that transactions of a Specialist and a ROT should constitute a course of dealings reasonably calculated to contribute to the maintenance of a fair and orderly market, and those members should not enter into transactions or make bids or offers that are inconsistent with such a course of dealings.

Proposed Phlx Rule 1081(a) provides, ordinarily during trading hours,⁶ an electronic ROT must: (i) Maintain a two-sided market in those options in which the electronic ROT is registered to trade, in a manner that enhances the depth, liquidity and competitiveness of the market; (ii) engage, to a reasonable degree under the existing circumstances, in dealings for its own account when there exists, or it is reasonably anticipated that there will exist, a lack of price continuity, a temporary disparity between the supply of (or demand for) a particular option contract, or a temporary distortion of price relationships between option contracts of the same class; (iii) compete

meaning send quotes electronically to the Exchange; instead, pursuant to Commentary .18 of Rule 1014, they submit limit orders electronically and respond to Floor Brokers verbally.

⁵ Electronic ROTs are permitted to enter orders on Phlx as permitted in Rule 1080(b)(i)(B). Orders are not considered market making activity for purposes of fulfilling quoting or the other obligations of an electronic ROT which are proposed herein.

⁶ The Exchange notes that a trading halt may cause the obligations of electronic ROTs to be suspended because the market is not open for trading. The Exchange intends that the obligations of an electronic ROT will be in effect when the Exchange is open for trading as specified in the Exchange's Rules.

³ System is defined at Phlx Rule 1000(b)(45).

⁴ A non-SQT ROT is an ROT who is neither an SQT nor an RSQT. See Rule 1014(b)(ii)(C). By definition, non-SQT ROTs do not "stream" quotes,

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

with other electronic ROTs in all options in all capacities⁷ in which the electronic ROT is registered to trade; (iv) make markets that will be honored for the number of contracts entered into Phlx's System in all options in which the electronic ROT is registered to trade; (v) update quotations in response to changed market conditions in all options in which the electronic ROT is registered to trade; (v) maintain active markets in all options in which the electronic ROT is registered; and (vi) honor all orders attributed to the electronic ROT that the System routes to away markets pursuant to Rule 1080(m).⁸

Similar to BX Rules at Chapter VII, Section 5(c), Phlx proposes in Phlx Rule 1081(b) to provide, "If Phlx Regulation finds any substantial or continued failure to engage in a course of dealings as specified in paragraph (a) of this section, the electronic ROT will be subject to disciplinary action or suspension or revocation of registration in one or more of the securities in which the electronic ROT is registered. Nothing in this rule will limit any other power of the Board under these Rules, or procedures of Phlx with respect to the registration of an ROT or in respect of any violation by an ROT pursuant to this rule."⁹ The Exchange believes that the addition of these obligations will provide additional context as to the obligations of electronic ROTs on Phlx.

Current Quoting Requirements

The Exchange proposes to amend the current market making quoting obligations at Phlx Rule 1014(b)(ii)(D)(1). Currently, Phlx requires that in addition to the other requirements for ROTs set forth in Rule 1014, with some exceptions (*e.g.*, when an RSQT functions as a Remote Specialist in particular options)¹⁰ an SQT and an RSQT are responsible to quote two-sided markets in not less than 60% of the series in which such SQT or

RSQT is assigned, provided that, on any given day, a Directed SQT ("DSQT") or a Directed RSQT ("DRSQT") are responsible to quote two-sided markets in the lesser of 99% of the series listed on the Exchange or 100% of the series listed on the Exchange minus one call-put pair,¹¹ in each case in at least 60% of the options in which such DSQT or DRSQT is assigned. Further, whenever a DSQT or DRSQT enters a quotation in an option in which such DSQT or DRSQT is assigned, such DSQT or DRSQT must maintain until the close of that trading day quotations for the lesser of 99% of the series of the option listed on the Exchange or 100% of the series of the option listed on the Exchange minus one call-put pair. The rule also states that to satisfy the applicable quoting requirements with respect to quoting a series, an SQT, RSQT, DSQT, or DRSQT must quote such series 90% of the trading day (as a percentage of the total number of minutes in such trading day) or such higher percentage as the Exchange may announce in advance.¹² The rule notes that these obligations apply collectively to all appointed issues of an SQT, RSQT, DSQT, or DRSQT, rather than on an issue-by-issue basis. Compliance with this obligation is determined on a monthly basis. However, determining compliance with the continuous quoting requirement on a monthly basis does not relieve an SQT, RSQT, DSQT, or DRSQT of the obligation to provide continuous two-sided quotes on a daily basis, nor does it prohibit the Exchange from taking disciplinary action against an SQT, RSQT, DSQT, or DRSQT for failing to meet the continuous quoting obligation each trading day. Finally, the Exchange may consider exceptions to the requirement to quote 90% (or higher) of the trading day based on demonstrated legal or regulatory requirements or other mitigating circumstances.

Currently, with respect to a Specialist, Phlx Rule 1014(b)(ii)(D)(2) requires the Specialist (including the RSQT functioning as a Remote Specialist in particular options) quote two-sided markets in the lesser of 99% of the series or 100% of the series minus one call-put pair in each option in which such Specialist is assigned. To satisfy the requirement of this subparagraph (D)(2) with respect to quoting a series, the Specialist must quote such series 90% of the trading day (as a percentage of the total number of minutes in such

trading day) or such higher percentage as the Exchange may announce in advance. These obligations apply collectively to all appointed issues of the Specialist, rather than on an issue-by-issue basis. Compliance with this obligation is determined on a monthly basis. However, determining compliance with the continuous quoting requirement on a monthly basis does not relieve the Specialist (including the RSQT functioning as a Remote Specialist in particular options) of the obligation to provide continuous two-sided quotes on a daily basis, nor does it prohibit the Exchange from taking disciplinary action against the Specialist (including the RSQT functioning as a Remote Specialist in particular options) for failing to meet the continuous quoting obligation each trading day. Finally, the Exchange may consider exceptions to the requirement to quote 90% (or higher) of the trading day based on demonstrated legal or regulatory requirements or other mitigating circumstances.

Currently, Phlx Rule 1014(b)(ii)(D)(3) provides that SQTs, RSQTs and the Specialist assigned in an option shall submit electronic quotations with a size of not less than the minimum number of contracts determined by the Exchange on a class by class basis, which minimum shall be at least one contract. Phlx Rule 1014(b)(ii)(D)(4) provides that notwithstanding the foregoing, SQTs, DSQTs, RSQTs¹³ and DRSQTs shall be deemed not to be assigned in any Quarterly Option Series, any adjusted option series,¹⁴ and any option series until the time to expiration for such series is less than nine months. Thus, the quoting obligations described above do not apply to SQTs, DSQTs, RSQTs and DRSQTs respecting Quarterly Option Series, Adjusted Option Series, and series with an expiration of nine months or greater. Phlx Rule 1014(b)(ii)(D)(5) provides that if a technical failure or limitation of a System of the Exchange prevents a participant from maintaining, or prevents a participant from communicating to the Exchange, timely and accurate quotes, the duration of such failure or limitation shall not be included in any of the calculations under Rule 1014(b)(ii)(D) with respect to the affected quotes.

¹³ This provision does not apply to RSQTs when they are functioning as Remote Specialists in particular options.

¹⁴ Phlx defines an adjusted option series as an option series wherein one option contract in the series represents the delivery of other than 100 shares of underlying stock or Exchange-Traded Fund Shares ("Adjusted Options Series").

⁷ For example, competing as a Specialist and as an SQT, depending on the various capacities of market marking in which the electronic ROT is engaged.

⁸ Proposed Phlx Rule 1081(a)(i)-(vii) are similar to BX Rules at Chapter VII, Section 5(a).

⁹ The Exchange notes that an electronic ROT may be found to have violated other by-laws and rules of the Exchange which are separate and apart from these obligations. The Exchange has added this rule text to make clear that the obligations noted within this rule are not an exclusive list.

¹⁰ Electronic Specialists have different quoting obligations currently in Phlx's rule which will be described in more detail in this proposal. Also, SQTs, DSQTs, RSQTs and DRSQTs are deemed not to be assigned in any Quarterly Option Series, any adjusted option series, and any option series until the time to expiration for such series is less than nine months.

¹¹ A "call-put pair" refers to one call and one put that cover the same underlying instrument and have the same expiration date and exercise price. See Rule 1014(b)(ii)(D)(6).

¹² See Phlx Rule 1014(b)(ii)(D)(1).

Proposed Quoting Requirements

The Exchange proposes to amend its electronic quoting requirements at proposed Phlx Rule 1081(c). The Exchange notes that electronic ROTs must enter bids and offers for the options to which it is registered, except in an assigned options series listed intra-day on the Exchange. The Exchange notes that intra-day [sic] add of a series would be counted the following trading day (next business day after the intra-day add of a series was listed) when the option series would be available for a full trading day.¹⁵ Today, an electronic ROT is not held to quote an intra-day add of a series because the options series was not available for trading the entire day. The Exchange is adding this exception to the rule text to make clear that electronic ROTs would not be responsible for quoting an intra-day addition. The Exchange believes that not counting intra-day adds of a series that were not available for the entire day of trading is consistent with the Act because the electronic ROT would not have the opportunity to trade that particular options series for the entire trading day.

Further, the proposed rule text notes, as is the case today, on a daily basis an SQT and RSQT would be obligated to meet certain quoting requirements. An SQT or RSQT who is also the Specialist will be held to the Specialist obligations in options series in which the Specialist is assigned and will be held to SQT and RSQT obligations in all other options series where assigned. An SQT or RSQT who receives a Directed Order shall be held to the standard of a Directed SQT or Directed RSQT, as appropriate. This is the case today, although the current rule text does not state specifically that each obligation is separate. The Exchange's proposed rule text at Phlx Rule 1081(c) is not contained in the current rule, but is the current practice on Phlx. This additional detail is being added to the text of the proposed rule to further clarify the manner in which the quoting obligations are applied.

With respect to electronic ROTs, similar to the existing Phlx language at Phlx Rule 1014(b)(ii)(D)(3), the Exchange proposes to continue to require the best bid and best offer entered by an electronic ROT to have a size of not less than the minimum number of contracts determined by the Exchange on a class by class basis, which minimum shall be at least one (1) contract. Further, the rule text specifies

at Phlx Rule 1081(c)(i) that an electronic ROT's bid and offer for a series of options contracts shall be accompanied by the number of contracts at that price the electronic ROT is willing to buy or sell.¹⁶ This language is similar to BX Rules at Chapter VII, Section 6(a). Today, Phlx Rule 1014(b)(ii)(D)(3) requires SQTs, RSQTs and the Specialist assigned in such option to submit electronic quotations with a size of not less than the minimum number of contracts determined by the Exchange on a class by class basis, which minimum shall be at least one contract. The Exchange is not introducing a new concept with this proposed language, rather the Exchange is retaining its current language regarding minimum size. The BX Rule differs from the Phlx Rule in this regard. BX's Rule Provides that a Participant "must have a size of at least one (1) contract" without reference to BX setting a minimum number. Phlx's Rule is generally similar to BX, except Phlx is retaining its rule text which permits the Exchange to determine the minimum number of contracts. The proposed rule text states, "The best bid and best offer submitted by an electronic ROT must have a size of not less than the minimum number of contracts determined by the Exchange on a class by class basis, which minimum shall be at least one (1) contract." Today, an electronic ROT's bid and offer for a series of options contracts is quoted at a price for the number of contracts the electronic ROT is willing to buy or sell.

The Exchange proposes language at Phlx Rule 1081(c)(ii) that requires an electronic ROT that enters a bid (offer) in a series of an option in which he is registered on Phlx to enter an offer (bid).¹⁷ This requirement to maintain a two-sided quote is similar to what is required today on Phlx.¹⁸ The Exchange does not propose to amend the manner in which this provision is currently applied to an electronic ROT.

Proposed Phlx Rule 1081(c)(ii)(A) provides that SQTs and RSQTs, associated with the same member organization, are collectively required to provide two-sided quotations in 60% of the cumulative number of seconds, or such higher percentage as Phlx may announce in advance, for which that member organization's assigned options series are open for trading. The Exchange includes proposed rule text at Phlx Rule 1081(c)(ii)(D), which provides

that the obligation at Phlx Rule 1081(c)(ii)(A) would be calculated by (i) taking the total number of seconds the member organization disseminates quotes in each assigned options series, excluding Quarterly Option Series, any Adjusted Option Series, and any option series with an expiration of nine months or greater for SQTs, RSQTs, Directed SQTs and Directed RSQTs; and (ii) dividing that time by the eligible total number of seconds each assigned option series is open for trading that day. SQTs and RSQTs would not be required to quote Quarterly Option Series, any Adjusted Options Series, and any option series with an expiration of nine months or greater. Further, the rule text notes that quoting is not required in every assigned options series. Compliance with this requirement is determined by reviewing the aggregate of quoting in assigned options series for the member organization.¹⁹ Proposed Phlx Rule 1081(c)(ii)(A) also provides, similar to today, that notwithstanding the foregoing, a member organization shall not be required to make two-sided markets pursuant to 1081(c)(ii) in any Quarterly Option Series, any Adjusted Options Series, and any option series with an expiration of nine months or greater.²⁰

The current Phlx rule requires SQTs and RSQTs to quote 60% of the series 90% of the trading day.²¹ By comparison, the proposed rule change, which is similar to BX's Rule at Chapter VII, Section 6(d)(i)(1) [sic].²² The SQTs and RSQTs may quote any combination of series, and does not necessarily have to quote every assigned options series. Similar to today, these quotations must continue to meet the legal quote width requirements specified in Phlx Rule 1014(c)(i)(A)(1) and (2). The proposal better accommodates the occasional issues that may arise in a particular series, whether technical or manual. The existing requirement may at times discourage liquidity in particular options series because an electronic ROT is forced to focus on a momentary lapse, rather than using the appropriate resources to focus on the options series that need and consume additional liquidity.

¹⁹ See Phlx Rule 1081(c)(ii)(D).

²⁰ This is similar to Phlx Rule 1014(b)(ii)(D)(4). The Exchange is utilizing the phrase "series with an expiration of nine months or greater" in this version simply for clarity and to conform to the current BX language at BX Rules at Chapter VII at Section 6. Once the options series had less than nine months of expiration, the electronic ROT would be required to commence quoting the options series if appointed in that options series.

²¹ See Phlx Rule 1014(b)(ii)(D)(1).

²² See proposed Phlx Rule 1081(c)(ii)(A) and (D).

¹⁵ An intra-day add of a series shall be defined, for purposes of this Rule 1081, as an option series that is added manually on the same day the series begins trading.

¹⁶ See proposed Phlx Rule 1081(c)(i).

¹⁷ See proposed Phlx Rule 1081(c)(ii).

¹⁸ See Phlx Rule 1014(b)(ii)(D)(1). This requirement is also similar to BX Rules at Chapter VII, Section 6(b).

The Exchange is defining an Adjusted Options Series as an option series wherein one option contract in the series represents the delivery of other than 100 shares of underlying stock or Exchange-Traded Fund Shares. This definition at Proposed Phlx Rule 1081(c)(ii)(A)(i) is the same definition that is currently in Phlx Rule 1014(b)(ii)(D)(4).

Proposed Phlx Rule 1081(c)(ii)(B) provides that Specialists (including Remote Specialists), associated with the same member organization, are collectively required to provide two-sided quotations in 90% of the cumulative number of seconds, or such higher percentage as Phlx may announce in advance, for which that member organization's assigned options series are open for trading. The Exchange includes proposed rule text at Phlx Rule 1081(c)(ii)(D), which provides that the obligation at Phlx Rule 1081(c)(ii)(B) would be calculated by (i) taking the total number of seconds the member organization disseminates quotes in each assigned options series; and (ii) dividing that time by the eligible total number of seconds each assigned option series is open for trading that day. Further, the rule text notes that quoting is not required in every assigned options series.²³ Compliance with this requirement is determined by reviewing the aggregate of quoting in assigned options series for the member organization.²⁴ The [sic] proposal to quote in aggregate all of assigned series 90% of the trading day would align Phlx's Rule to that of BX.

This is an amendment from the current Phlx requirement which requires a Specialist to quote two-sided markets in the lesser of 99% of the series or 100% of the series minus one call-put pair in each option in which the Specialist is assigned. Today, the Specialist must quote such series 90% of the trading day (as a percentage of the total number of minutes in such trading day) or such higher percentage as the Exchange may announce in advance.²⁵ The Exchange desires to lower the requirement to conform to BX's requirement for Lead Market Makers, the equivalent of Phlx's Specialists, at BX Rules at Chapter VII, Section 14(f). As is the case today, these quotations must meet the legal quote width requirements specified in Phlx Rule 1014(c)(i)(A)(1) and (2). The Exchange notes that Specialists continue to have heightened quoting requirements as compared to electronic ROTs, which

heightened obligations allow for the Specialist to receive certain participation rights.²⁶ The participation rights reward Specialists for making markets and providing other market participants an incentive to quote aggressively.

Today, Phlx Rule 1014(b)(ii)(D)(4) provides an exception from the quoting obligations in Quarterly Option Series, Adjusted Options Series, and any option series until the time for expiration for such series is less than nine months, for SQTs, DSQTs, RSQTs, and DRSQTs. This exception does not apply to Specialists or Remote Specialists because they are not listed as an excepted class. The Exchange's proposal continues to require Specialists and Remote Specialists to quote in Quarterly Option Series, Adjusted Options Series, and any option series until the time for expiration for such series is less than nine months where assigned.²⁷ This rule text does not conform to BX Rules at Chapter VII, Section 14. A BX Lead Market Maker is not required to quote Quarterly Options Series, Adjusted Options Series, or any series with a time to expiration of nine months or greater.

Proposed Phlx Rule 1081(c)(ii)(C) provides Directed SQTs and Directed RSQTs, associated with the same member organization, are collectively required to provide two-sided quotations in 90% of the cumulative number of seconds, or such higher percentage as Phlx may announce in advance, for which that member organization's assigned options series are open for trading. The Exchange includes proposed rule text at Phlx Rule 1081(c)(ii)(D), which provides that the obligation at Phlx Rule 1081(c)(ii)(C) would be calculated by (i) taking the total number of seconds the member organization disseminates quotes in each assigned options series, excluding Quarterly Option Series, any Adjusted Options Series, and any option series with an expiration of nine months or greater for SQTs, RSQTs, Directed SQTs and Directed RSQTs; and (ii) dividing that time by the eligible total number of seconds each assigned option series is open for trading that day. Further, the rule text notes that quoting is not required in every assigned options series.²⁸ Compliance with this requirement is determined by reviewing the aggregate of quoting in assigned options series for the member organization.²⁹ Notwithstanding the foregoing, a member organization shall

not be required to make two-sided markets pursuant to 1081(c)(ii) in any Quarterly Option Series, any Adjusted Options Series, and any option series with an expiration of nine months or greater.³⁰ This provision is not being amended and is similar to the current Phlx rule and BX Rules at Chapter VII, Section 15(iv).³¹ These quotations must meet the legal quote width requirements specified in Phlx Rule 1014(c)(i)(A)(1) and (2).

The proposed provisions amend the current Phlx requirement which requires a Directed ROT to quote two-sided markets in the lesser of 99% of the series listed on the Exchange or 100% of the series listed on the Exchange minus one call-put pair, in each case in at least 60% of the options in which such DSQT or DRSQT is assigned. Whenever a DSQT or DRSQT enters a quotation in an option in which such DSQT or DRSQT is assigned, such DSQT or DRSQT must maintain until the close of that trading day quotations for the lesser of 99% of the series of the option listed on the Exchange or 100% of the series of the option listed on the Exchange minus one call-put pair. The Exchange desires to lower the requirement to conform to BX's requirement for Directed Market Makers in BX Rules at Chapter VII, Section 15(iii). The Exchange notes that Directed SQTs and Directed RSQTs continue to have heightened quoting requirements as compared to electronic ROTs, which heightened obligations allow for the Directed SQTs and Directed RSQTs to receive certain participation rights.³² The enhanced participation rights reward Directed SQTs and Directed RSQTs for making markets and providing other market participants an incentive to quote aggressively.

For purposes of the quoting obligations specified in proposed Rule 1081(c)(ii)(C) a member organization shall be considered directed in all assigned options once the member organization receives a Directed Order in any option in which they are

³⁰ As noted herein, for purposes of this Rule, an adjusted option series is defined as an option series wherein one option contract in the series represents the delivery of other than 100 shares of underlying stock or Exchange-Traded Fund Shares ("Adjusted Options Series"). Once the options series had less than nine months of expiration, the electronic ROT would be required to commence quoting the options series if appointed in that options series.

³¹ This is similar to Phlx Rule 1014(b)(ii)(D)(4). The Exchange is utilizing the phrase "series with an expiration of nine months or greater" in this version simply for clarity. This provision, which refers to any series with an expiration of nine months or greater, is the same measure utilized today on Phlx, however, it is phrased different [sic].

³² See Phlx Rule 1014(g)(viii)(B)(1) [sic].

²³ See proposed Phlx Rule 1081(c)(ii)(B) and (D).

²⁴ See Phlx Rule 1081(c)(ii)(D).

²⁵ See Phlx Rule 1014(b)(ii)(D)(2).

²⁶ See Phlx Rule 1014(g)(vii)(B)(1)(c).

²⁷ See Phlx Rule 1081(c)(ii)(B).

²⁸ See proposed Phlx Rule 1081(c)(ii)(C) and (D).

²⁹ See Phlx Rule 1081(c)(ii)(D).

assigned and shall be considered a Directed SQT or Directed RSQT until such time as the member organization notifies the Exchange that they are no longer directed.³³ The Exchange notes that if a member desired to become a Directed SQT that this obligation would commence when that Directed SQT executed an order directed to the Directed SQT. For example if on March 15, 2018 at 3:00 p.m. SQT A received its first directed order, the quoting obligations would begin at that time (3:00 p.m.) and would continue until such time as SQT A informed Nasdaq [sic] Operations that it no longer desired to be directed. If a Directed SQT or Directed RSQT no longer desired to participate in the Directed Order program the Exchange would not permit the Directed SQT or Directed [sic] to receive an enhanced allocation pursuant to Rule 1014(g)(viii).³⁴ A Directed SQT's or Directed RSQT's quoting obligations would cease at such time as the member organization contacted Nasdaq [sic] Operations indicating the firm no longer desired to participate as a Directed SQT or a Directed RSQT.

As is the case today, Phlx Regulation may consider exceptions to the above-referenced requirement to quote based on demonstrated legal or regulatory requirements or other mitigating circumstances. For purposes of the Exchange's surveillance of member organization compliance with this rule, the Exchange may determine compliance on a monthly basis. The Exchange's monthly compliance evaluation of the quoting requirement does not relieve a member organization of the obligation to provide two-sided quotes on a daily basis, nor will it prohibit the Exchange from taking disciplinary action against a member organization for failing to meet the quoting obligation each trading day.³⁵ Further, as is the case today, if a technical failure or limitation of a System of Phlx prevents a member organization from maintaining, or prevents a member organization from communicating to Phlx timely and accurate quotes, the duration of such failure or limitation shall not be included in any of the calculations under subparagraph (c)(ii) of proposed Rule 1081 with respect to the affected quotes.³⁶

³³ A member organization that desires not to be directed would contact the Exchange's Operations desk.

³⁴ Once the Nasdaq [sic] Operations desk was contacted, Nasdaq [sic] staff would take steps to remove the ability of the member organization to be allocated as a Directed SQT or a Directed RSQT.

³⁵ See Phlx Rule 1014(b)(ii)(D)(1) and (2).

³⁶ See Phlx Rule 1014(b)(ii)(D)(5).

Example for calculating quoting for an electronic ROT:

Market Maker firm A ("MM A") has Badges 1, 2 and 3. MM A has permission to quote underlying U which has options U1, U2, U3, U4, and U5. MM A also has permission to quote underlyings V and W.

Option U1 opened at 09:30:30 and closed at 16:00:39

Badge 1 quoted U1 at 09:35:30 @ 13.00(10)–15.00(10)

Badge 1 updated quote in U1 at 09:50:31 @10.00(10)–15.00(20)

Badge 1 purged quote at 15:55:40

Total quoted time for U1 is: 15:55:40–09:35:30 = (15–9)*3600 + (55–35)*60 + (40–30) = 22810 (seconds)

Total available quote time for U1 is: 16:00:39–09:30:30 = (15–9)*3600 + (60–30)*60 + (39–30) = 23409 (seconds)

Option U2 opened at 09:30:32 and closed at 16:00:29

Badge 2 quoted U2 at 10:05:30 @ 13.00(10)–15.00(10)

Badge 2 updated quote in U2 at 11:00:01 @11.00(10)–16.00(20)

Badge 2 purged quote at 15:05:40

Total quoted time for U2 is: 15:05:40–10:05:30 = (14–10)*3600 + (65–05)*60 + (40–30) = 18010 (seconds)

Total available quote time for U2 is: 16:00:29–09:30:32 = (15–9)*3600 + (59–30)*60 + (89–32) = 23397 (seconds)

Option U3 opened at 09:40:02 and closed at 16:01:20

Badge 3 quoted U3 at 11:10:21 @ 21.00(10)–24.00(20)

Badge 3 purged quote at 15:00:05

Total quoted time for U3 is: 15:00:05–11:10:21 = (14–11)*3600 + (59–10)*60 + (65–21) = 13784 (seconds)

Total available quote time for U3 is: 16:01:20–09:40:02 = (15–9)*3600 + (61–40)*60 + (20–2) = 22878 (seconds)

Option U4 opened at 9:30:01 and closed at 16:00:20

Badge 1, 2 and 3 all quoted option U4: Badge 1 quoted U4 at 09:38:59 @ 35.00(10)–37.00(10)

Badge 1 updated quote in U4 at 10:30:21 @31.00(10)–37.00(20)

Badge 1 purged quote in U4 at 15:45:00

Badge 2 quoted U4 at 09:34:29 @ 35.00(10)–37.00(10)

Badge 2 purged quote at 15:35:55

Badge 3 quoted U4 at 10:33:21 @ 36.00(10)–38.00(20)

Badge 3 purged quote at 15:59:34

Since Badge 2 began quoting U4 at the earliest time, this time is used for the total quote time determination.

Similarly, MM A's Badge 3 was last to purge his quote in U4 so this purge time is used for the total quote time determination.

Total quoted time for U4 is: 15:59:34–09:34:29 = (15–09)*3600 + (59–34)*60 + (34–29) = 23105 (seconds)

Total available quote time is: 16:00:20–09:30:01 = (15–9)*3600 + (60–30)*60 + (20–1) = 23419 (seconds)

Option U5 opened at 9:30:11 and closed at 16:00:23

No MM A badges quoted U5 thus, the total quoted time for U5 will be: 0 (seconds)

Total available quote time is: 16:00:23–09:30:11 = (15–9)*3600 + (60–30)*60 + (23–11) = 23412 (seconds)

The Total quote percentage for MM A is:

Total time for MM A quoted underlying U: 22810 + 18010 + 13784 + 23105 + 0 = 77709 (seconds)

Total eligible quoting time for MM A on underlying U: 23409 + 23397 + 22878 + 23419 + 23412 = 116515 (seconds)

Similarly assume:

Total time for MM A quoted underlying V: 70983(seconds)

Total eligible quoting time for MM A on underlying V: 84515 (seconds)

Total time for MM A quoted underlying W: 0(seconds)

Total eligible quoting time for MM A on underlying W: 46513 (seconds)

Then the total quoting percentage for MM A is:

$(77709 + 70983 + 0) / (116515 + 84515 + 46513) = 148692/247543 = 60.07\%$

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,³⁷ in general, and furthers the objectives of Section 6(b)(5) of the Act,³⁸ in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest for the reasons stated below.

The Exchange believes that its proposed rule change provides further detail as to obligations of electronic ROTs on Phlx. The Exchange's proposed obligations, which are similar to BX Rules at Chapter VII, Section 5, delineate examples of the type of activity that constitutes a course of dealings reasonably calculated to contribute to the maintenance of a fair and orderly market. This proposal is consistent with the Act because it removes impediments to and perfects the mechanism of a free and open market and a national market system by

³⁷ 15 U.S.C. 78f(b).

³⁸ 15 U.S.C. 78f(b)(5).

imposing obligations on market makers with respect to making markets on Phlx. While under the proposal there are quoting requirements changes, the Exchange does not believe that these changes reduce the overall obligations applicable to electronic ROTs.³⁹ Moreover, the Exchange believes that the proposal may increase market making activity on the Exchange and the quality of the Exchange's market by establishing quoting compliance standards that are reasonable and already in place on other options exchanges.⁴⁰

With respect to the quoting obligations, the Exchange's proposal seeks to conform the quoting obligations to that of BX's Rules.⁴¹ The Exchange is amending the quoting obligations for electronic ROTs to lower the obligations. Phlx's current quoting requirements are much more stringent than certain other exchanges. Quoting two-sided markets in not less than 60% of the series in which such SQT or RSQT is assigned and also for a Specialist (including Remote Specialist), Directed SQT or Directed SQT [sic] quoting two-sided markets in the lesser of 99% of the series or 100% of the series minus one call-put pair in each option in which such Specialist is assigned, 90% of the trading day (as a percentage of the total number of minutes in such trading day) or such higher percentage as the Exchange may announce, is much more stringent than looking at all options in which an electronic ROT is registered, because it [sic] allows for some number of series not to be quoted at all, as long as the overall standard is met. This better accommodates the occasional issues that may arise in a particular series, whether technical or manual. The existing requirement may at times discourage liquidity in particular options series because an electronic ROT is forced to focus on a momentary lapse rather than using the appropriate resources to focus on the options series that need and consume additional liquidity. Phlx believes that it can better attract electronic ROTs and grow its

market if its quoting obligation is more in line with that of other exchanges.

The Exchange's proposal that SQTs and RSQTs, associated with the same member organization, are collectively required to provide two-sided quotations in 60% of the cumulative number of seconds, or such higher percentage as Phlx may announce in advance, for which that member organization's assigned options series are open for trading seeks to promote just and equitable principles of trade, and to foster cooperation and coordination with persons engaged in facilitating transactions in securities by aligning Phlx's Rules with quoting obligations on BX. The Exchange notes that electronic ROTs are required to abide by the Exchange's obligations in order to contribute to the maintenance of a fair and orderly market.

The proposal supports the quality of the Exchange's market by helping to ensure that electronic ROTs will continue to be obligated to quote in a percentage of their assigned series. Ultimately, the benefit the proposed rule change confers upon electronic ROTs is offset by the continued responsibilities to provide significant liquidity to the market to the benefit of market participants. Despite the reduction, the Exchange believes that the proposed rule text is consistent with the Act because the quoting obligations are similar to quoting obligations on BX today.⁴² Determining compliance with the continuous quoting requirement on a monthly basis would not relieve an electronic ROT from the obligation to quote two-sided quotes for 60% of the cumulative number of seconds on a daily basis, nor would it prohibit the Exchange from taking disciplinary action against an electronic ROT for failing to meet the quoting obligation each trading day. For these reasons, the Exchange believes that the proposed changes to the quoting obligations are consistent with the Act. Further, the proposed changes to the quoting obligations for electronic ROTs are consistent with market maker obligations in place on BX as noted herein.⁴³

Further, the Exchange's proposal to amend the quoting obligations for Specialists and electronic Directed SQTs and Directed RSQTs is consistent with the Act because despite lowering the current obligations, the Exchange continues to impose higher quoting obligations on Specialists and electronic Directed SQTs and Directed RSQTs as

compared to SQTs and RSQTs because they are entitled to certain allocation benefits that other ROTs are not entitled to today. Phlx Rule 1014(g)(vii) provides for the allocation method for electronic ROTs on Phlx after the Specialist Participation Entitlement has been applied and Phlx Rule 1014(g)(viii) provides for the allocation method in the case of directed orders to the electronic Directed SQT and Directed RSQT, and such allocation will depend on the number of electronic ROTs present. The Specialist receives an entitlement after all Customer orders have been fully executed provided the Specialist's bid/offer is at or improves on the Exchange's disseminated price and up to the Specialist's displayed size.⁴⁴ A DSQT or a DRSQT shall be allocated a participation entitlement as specified in Phlx Rule 1014(g)(viii)(B)(1) and (2). The Exchange notes that Specialists and Directed SQTs and Directed RSQTs continue to have heightened quoting requirements as compared to electronic ROTs, which heightened obligations allow for the Specialist, Directed SQTs and Directed RSQTs to receive certain enhanced participation rights.⁴⁵ The enhanced participation rights reward Specialists, Directed SQTs and Directed RSQTs for making markets and providing other market participants an incentive to quote aggressively. While electronic ROTs will be subject to lower quoting requirements as compared to Specialists and electronic Directed SQTs and Directed RSQTs, they will also be entitled to lower allocations. The Exchange believes that the proposed rule text is consistent with the Act because the obligations are commensurate with the ability to achieve certain allocations. The Exchange believes that its proposal will continue to align SQTs and RSQTs, Specialists and electronic Directed SQTs and Directed RSQTs accordingly. Also, the proposal will align with quoting requirements on BX today.⁴⁶

Finally the proposed rule text serves to provide more specificity to members regarding the manner in which quoting obligations are calculated.

³⁹ In this respect, the Exchange notes that electronic ROTs are subject to many obligations aside from quoting, including, for example, the obligation to maintain a fair and orderly market in their appointed classes, and the obligation to conduct the opening and enter continuous quotations in all of the series of their appointed options classes within maximum spread requirements.

⁴⁰ See BX Rules at Chapter VII at Section 6.

⁴¹ See BX Rules at Chapter VII at Sections 6, 14 and 15. The proposed rule text is different than the BX rule text with respect to quoting obligations, however the computation of the quoting obligations will be the same as BX's computations today.

⁴² See BX Rules at Chapter VII at Sections 6, 14 and 15.

⁴³ *Id.*

⁴⁴ The Specialist Participation Entitlement shall be 60% of remaining interest if there is one other ROT at that price. The Specialist Participation Entitlement shall be 40% of remaining interest if there are two ROTs at that price. Finally, the Specialist Participation Entitlement 30% of remaining interest if there are more than two other ROTs at that price. See Phlx Rule 1014(g)(vii)(B)(1)(c) and 1014(g)(ii).

⁴⁵ See Phlx Rule 1014(g)(vii)(B)(1)(c) and (g)(viii)(B)(1) [sic].

⁴⁶ See BX Rules at Chapter VII at Sections 6, 14 and 15.

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. Electronic ROTs will continue to be entitled to certain allocations, similar to today. Electronic ROTs, unlike other market participants, have obligations which the Exchange has memorialized within the proposed rule text. The Exchange believes that treating Electronic ROTs differently than other market participants does not impose an undue burden on competition because Electronic ROTs provide liquidity to the market which benefits market participants who interact with that liquidity. The Exchange requires Electronic ROTs today to maintain fair and orderly markets. The Exchange believes the allocation benefits are commensurate with the quoting obligations imposed on Electronic ROTs. Additionally, the Exchange believes that the varying quoting requirements as between electronic ROTs and Specialists and electronic Directed SQTs and Directed RSQTs does not impose an undue burden on competition because while electronic ROTs will be subject to lower quoting requirements as compared to Specialists and electronic Directed SQTs and Directed RSQTs, they will also be entitled to lower allocations.

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

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission shall: (a) By order approve or disapprove such proposed rule change, or (b) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-Phlx-2018-22 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-Phlx-2018-22. 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 website (<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 website 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-Phlx-2018-22, and should be submitted on or before April 26, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴⁷

Eduardo Aleman,

Assistant Secretary.

[FR Doc. 2018-06916 Filed 4-4-18; 8:45 am]

BILLING CODE 8011-01-P

⁴⁷ 17 CFR 200.30-3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-82968; File No. SR-Phlx-2018-27]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Exchange's Provisions for Excluding a Day From Its Volume Calculations for Purposes of Determining Volume Based Pricing

March 30, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on March 19, 2018, Nasdaq PHLX LLC ("Phlx" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Exchange's provisions for excluding a day from its volume calculations for purposes of determining volume based pricing.

The text of the proposed rule change is available on the Exchange's website at <http://nasdaqphlx.cchwallstreet.com/>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend the Exchange's provisions for excluding a day from its volume calculations for purposes of determining volume based pricing. The Exchange is standardizing its practice for removing a day from volume calculations in the fee schedule with its affiliated options exchanges, Nasdaq ISE, LLC ("ISE"), Nasdaq GEMX, LLC ("GEMX"), and Nasdaq MRX, LLC ("MRX") (collectively, the "Nasdaq ISE Markets").

To avoid penalizing members when aberrant low volume days result from systems or other issues at the Exchange, or where the Exchange closes early for holiday observance, the Exchange has language in its pricing schedule allowing it to exclude certain days from its average daily volume ("ADV") or other volume calculations. Currently, language in the Exchange's pricing schedule provides that, for purposes of determining average daily volume or volume-based pricing, any day that the market is not open for the entire trading day will be excluded from such calculation. The Exchange proposes to adopt language for Phlx options³ that is identical to language currently in place on the Nasdaq ISE Markets,⁴ with the one exception that it would include language that clarifies how this rule applies to calculations that are based on a percentage of industry volume.⁵ Specifically, as proposed, any day that the market is not open for the entire trading day or the Exchange instructs members in writing to route their orders to other markets may be excluded from the ADV calculation or calculation based on a percentage of industry volume; provided that the Exchange will only remove the day for members that would have a lower ADV or percentage of industry volume with the day included. If a day is removed from a calculation based on a percentage of monthly industry volume, volume executed that day will be removed from both the numerator and the denominator of the calculation. While

similar to the language currently in place on the Exchange, the proposed language: (1) Provides greater flexibility to remove a day when the Exchange instructs members in writing to route their orders to other markets, (2) modifies the provision so that members will only have the day removed when doing so is beneficial for the member, (3) applies the provision to ADV calculations or calculation based on a percentage of industry volume, and not for other volume-based pricing where members would not benefit from having the day excluded, and (4) accounts for calculations based on a percentage of industry volume by removing the day from both the numerator and denominator of the calculation. Other than days where the Exchange closes early for a scheduled holiday observance, the Exchange will inform members of days that are to be excluded from its ADV calculations via system status message disseminated to all members.

The Nasdaq ISE Markets adopted the language on instructing members to route away to prevent situations where days that have artificially lower volume could not be excluded, for example, because the exchange experienced an issue in the morning that did not carry over into the trading day. Like the Nasdaq ISE Markets, the Exchange believes that it should have the flexibility to exclude days if members have been instructed to send their orders elsewhere, regardless of whether the issue that resulted in this instruction ultimately impacts the availability of the Exchange for trading.

In addition, to avoid penalizing members that step up and trade on a day that the Exchange is experiencing difficulties, the Nasdaq ISE Markets only remove days from their ADV calculations for members that would have a lower ADV or percentage of industry volume with the day included. This provision would also be helpful on the Exchange as it would ensure that members that continue to execute a large volume of contracts are not inadvertently disadvantaged when the Exchange removes a day from its ADV calculation.

Furthermore, the proposed language applies to ADV calculations or calculation based on a percentage of industry volume, and not for other volume-based pricing, as members do not benefit when a day is removed for straight volume accumulations. Again, the Exchange believes that the approach of the Nasdaq ISE Markets would be beneficial for the Exchange as it counts volume executed during an excluded day for purposes of straight volume

accumulations. Unlike the Nasdaq ISE Markets, however, the Exchange has fees that are based on a percentage of industry volume. As such, the Exchange is including language in its rule that accounts for these calculations by explicitly mentioning that days may be removed from these calculations, and including language that explains that the day will be moved from both the numerator of the calculation and the denominator of the calculation. Removing the day from both the numerator and denominator of the calculation will ensure that members benefit from this rule as removing the day from the numerator only (*i.e.*, the member's volume) without removing it from the denominator (*i.e.*, industry volume) would penalize the member.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,⁶ in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,⁷ 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 the proposed rule change is reasonable and equitable as it provides a new framework for removing days from the Exchange's volume calculations that the Exchange believes is beneficial to members and consistent with similar provisions already in place on its affiliated options exchanges, with the one exception described above for fees based on a percentage of industry volume. The proposed rule change would allow the Exchange to remove a day from its ADV calculations in more circumstances, *i.e.*, when the Exchange instructs members in writing to route their orders to other markets, and ensures that the Exchange will only do so in circumstances where beneficial for the member due to the member executing a lower ADV or percentage of industry volume during the excluded day. The Exchange believes that it is reasonable and equitable to exclude a day from its ADV calculations when members are instructed to route their orders to other markets as this preserves the Exchange's intent behind adopting volume-based pricing, and avoids penalizing members that follow this instruction. Similarly, the Exchange believes that it is reasonable and

³ Because the Exchange is conforming its practice for options markets only, the current language will remain in place for PSX equities.

⁴ See ISE Schedule of Fees, Preface; GEMX Schedule of Fees, Qualifying Tier Thresholds; and MRX Schedule of Fees, Member Volume Program: Qualifying Tier Thresholds.

⁵ The Nasdaq ISE Markets do not have any fees calculated based on a percentage of industry volume.

⁶ 15 U.S.C. 78f(b).

⁷ 15 U.S.C. 78f(b)(4) and (5).

equitable to only exclude a day from its calculations for members that would otherwise have a lower ADV or percentage of industry volume. Without these changes, members that route away in accordance with the Exchange's instructions, or that step up and trade significant volume on excluded trading days, may be negatively impacted, resulting in an effective cost increase for those members. In addition, the Exchange believes that it is reasonable and equitable to apply the proposed language only to ADV based volume calculations and calculation based on a percentage of industry volume as removing the day for straight volume accumulations would never be beneficial for the member as it would reduce the volume counted for the member for the month. Furthermore, the proposed language about removing the day from both the numerator and denominator of a calculation based on a percentage of industry volume is reasonable and equitable and this treatment ensures that the member actually benefits from having the day removed. Finally, the Exchange further believes that the proposed rule change is not unfairly discriminatory because it applies equally to all members. While the Exchange currently has rules in place for removing a day from its pricing, the Exchange believes that the proposed changes will benefit all members by providing broader authority to remove a day similar to that available on its affiliates, and ensuring that days are removed only in situations where the member benefits.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is designed to standardize the Exchange's practice for removing days from its ADV calculations with its affiliated options exchanges, with one exception that accounts for fees based on a percentage of industry volume. The Exchange believes that the proposed modifications to its ADV calculations are pro-competitive and will result in lower total costs to end users, a positive outcome of competitive markets. The Exchange operates in a highly competitive market in which market participants can readily direct their order flow to competing venues. In such an environment, the Exchange must continually review, and consider adjusting, its fees and rebates to remain competitive with other exchanges. For

the reasons described above, the Exchange believes that the proposed fee changes reflect this competitive environment.

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.⁸

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. Please include File Number SR-Phlx-2018-27 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-Phlx-2018-27. 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 website (<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 website 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly.

All submissions should refer to File Number SR-Phlx-2018-27 and should be submitted on or before April 26, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁹

Eduardo Aleman,
Assistant Secretary.

[FR Doc. 2018-06911 Filed 4-4-18; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-82973; File No. SR-NYSEArca-2017-99]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing of Amendment No. 3 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 3, To List and Trade Shares of the Hartford Schrodgers Tax-Aware Bond ETF Under NYSE Arca Rule 8.600-E

March 30, 2018.

I. Introduction

On October 11, 2017, NYSE Arca, Inc. ("Exchange" or "NYSE Arca") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to list and trade shares ("Shares") of the Hartford Schrodgers Tax-Aware Bond ETF ("Fund") under NYSE Arca Rule 8.600-E. The proposed

⁹ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

⁸ 15 U.S.C. 78s(b)(3)(A)(ii).

rule change was published for comment in the **Federal Register** on October 31, 2017.³ On November 21, 2017, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the proposed rule change as originally filed. On December 14, 2017, pursuant to Section 19(b)(2) of the Act,⁴ the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.⁵ On January 18, 2018, the Exchange filed Amendment No. 2 to the proposed rule change, which replaced and superseded the proposed rule change as modified by Amendment No. 1.⁶ On January 26, 2018, the Commission published notice of Amendment No. 2 and instituted proceedings under Section 19(b)(2)(B) of

³ See Securities Exchange Act Release No. 81944 (October 25, 2017), 82 FR 50461.

⁴ 15 U.S.C. 78s(b)(2).

⁵ See Securities Exchange Act Release No. 82323, 82 FR 60455 (December 20, 2017). The Commission designated January 29, 2018 as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

⁶ In Amendment No. 2, the Exchange: (1) Stated that State Street Bank and Trust Company will serve as transfer agent and custodian for the Fund; (2) removed certain conditions on the definition of the “fire wall” between the Sub-Adviser and its broker-dealer subsidiary; (3) represented that personnel who make decisions on the Fund’s portfolio composition must be subject to procedures designed to prevent the use and dissemination of material, non-public information regarding the Fund’s portfolio; (4) clarified that cash and cash equivalents are included in the Fund’s principal investments and specified that for purposes of this filing, cash equivalents are the short-term instruments enumerated in Commentary .01(c) to NYSE Arca Rule 8.600–E; (5) provided additional information regarding the Fund’s non-principal investments; (6) specified that restricted securities are included in the Fund’s non-principal investments; (7) added an explanation regarding the Manager’s belief that the creation and redemption cutoff time (1:00 p.m. Eastern Time) will not have a material impact on an authorized participant’s arbitrage opportunities with respect to the Fund; (8) added a statement that the Manager represents that, to the extent the Trust effects the creation or redemption of Shares wholly or partially in cash, such transactions will be effected in the same manner for all authorized participants; (9) specified additional quantitative information relating to the Shares that will be included on the Fund’s website; (10) supplemented the description of the availability of information for the Fund’s investments; (11) defined the term “periods of high cash inflows or outflows” as used in this filing; (12) added a statement that the Manager represents that the fixed income weight of the Fund’s portfolio, other than holdings in Municipal Securities, will meet the generic listing requirements of Commentary .01(b) to NYSE Arca Rule 8.600–E; (13) stated that the Manager will be the “Reporting Authority” for purposes of NYSE Arca Rule 8.600–E(d)(2)(B)(ii); and (14) made other clarifications, corrections, and technical changes. Amendment No. 2 is available at <https://www.sec.gov/comments/sr-nysearca-2017-99/nysearca201799-2935844-161848.pdf>.

the Act⁷ to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 2.⁸ Thereafter, on January 26, 2018, the Exchange filed Amendment No. 3 to the proposed rule change, which replaced and superseded the proposed rule change as modified by Amendment Nos. 1 and 2.⁹ The Commission has received no comments on the proposed rule change. The Commission is publishing this notice to solicit comments on Amendment No. 3 from interested persons, and is approving the proposed rule change, as modified by Amendment No. 3, on an accelerated basis.

II. Description of the Proposal, as Modified by Amendment No. 3¹⁰

The Exchange proposes to list and trade Shares of the Fund under NYSE Arca Rule 8.600–E, which governs the listing and trading of Managed Fund Shares. The Fund is a series of the Hartford Funds Exchange-Traded Trust (“Trust”), which is registered with the Commission as an open-end management investment company.¹¹

Hartford Funds Management Company, LLC (“Manager”) will be the investment manager to the Fund, and Schroder Investment Management North America Inc. (“Sub-Adviser”) will be the sub-adviser to the Fund and perform the daily investment of the assets for the Fund.¹² ALPS Distributors, Inc. will be

⁷ 15 U.S.C. 78s(b)(2)(B).

⁸ See Securities Exchange Act Release No. 82592, 83 FR 4704 (February 1, 2018).

⁹ Amendment No. 3 includes the changes made by Amendment No. 2. In addition, in Amendment No. 3, the Exchange: (1) Removed as permitted investments of the Fund non-exchange-traded securities of other registered investment companies (*i.e.*, mutual funds), as well as convertible and non-convertible preferred stocks traded over-the-counter (“OTC”) or on U.S. and non-U.S. exchanges; (2) clarified that the Fund may hold fixed income restricted securities as part of its non-principal investments; (3) supplemented the description of the surveillance relating to the Shares; and (4) made other clarifications, corrections, and technical changes. Amendment No. 3 is available at <https://www.sec.gov/comments/sr-nysearca-2017-99/nysearca201799-2965793-161858.pdf>.

¹⁰ For more information regarding the Fund and the Shares, see Amendment No. 3, *supra* note 9.

¹¹ The Trust is registered under the Investment Company Act of 1940 (“1940 Act”). The Exchange states that on June 26, 2017, the Trust filed with the Commission its registration statement on Form N-1A under the Securities Act of 1933 and under the 1940 Act relating to the Fund (File Nos. 333–215165 and 811–23222). In addition, the Exchange states that the Commission has issued an order granting certain exemptive relief to the Trust under the 1940 Act. See Investment Company Act Release No. 32454 (January 27, 2017) (File No. 812–13828–01).

¹² According to the Exchange, neither the Manager nor the Sub-Adviser is registered as a broker-dealer, but each is affiliated with a broker-dealer. The Exchange states that the Manager and Sub-Adviser each has implemented and will

the principal underwriter to the Fund. State Street Bank and Trust Company will serve as transfer agent and custodian for the Fund.

According to the Exchange, the Fund will seek total return on an after-tax basis and will seek to achieve its investment objective by investing in a diversified portfolio of fixed income debt instruments of varying maturities.¹³

A. Principal Investments

Under normal market conditions,¹⁴ the Fund will invest principally (that is, more than 50% of its assets) in the U.S. dollar-denominated fixed income debt instruments described below, and in cash and cash equivalents.¹⁵

The fixed income debt instruments in which the Fund may invest as part of its principal investment strategy are securities issued or guaranteed by the U.S. government and its agencies, government-sponsored enterprise securities, corporate bonds, agency mortgage-backed securities (including “to be announced” or “TBA” transactions), agency asset-backed securities (“ABS”), “Municipal Securities” (as described below), sovereign debt, and debt securities issued by supranational organizations. They may pay fixed, variable, or floating interest rates.

The Fund may invest in the following Municipal Securities: General obligation bonds, revenue (or limited obligation) bonds, private activity (or industrial development) bonds, bonds that are collateralized with agency and/or

maintain a “fire wall” with respect to such broker-dealer affiliate regarding access to information concerning the composition of and/or changes to the Fund’s portfolio. In addition, personnel who make decisions on the Fund’s portfolio composition must be subject to procedures designed to prevent the use and dissemination of material, non-public information regarding the Fund’s portfolio. In the event (a) the Manager or Sub-Adviser becomes registered as a broker-dealer or newly affiliated with a broker-dealer, or (b) any new adviser or sub-adviser to the Fund is a registered broker-dealer or becomes affiliated with a broker-dealer, the applicable adviser or sub-adviser will implement and maintain a fire wall with respect to its relevant personnel or broker-dealer affiliate regarding access to information concerning the composition of and/or changes to the Fund’s portfolio, and will be subject to procedures designed to prevent the use and dissemination of material, non-public information regarding such portfolio.

¹³ In seeking to achieve the Fund’s investment objective, the Sub-Adviser will employ a tax-aware investing strategy that attempts to realize total return for shareholders, primarily in the form of current income and price appreciation, by balancing investment considerations and tax considerations.

¹⁴ The term “normal market conditions” is defined in NYSE Arca Rule 8.600–E(c)(5).

¹⁵ For purposes of the filing, cash equivalents are the short-term instruments enumerated in Commentary .01(c) to NYSE Arca Rule 8.600–E.

treasury securities, municipal notes, municipal lease obligations, and municipal inverse floaters.

B. Other Investments

While the Fund, under normal market conditions, will invest principally in the securities and financial instruments described above, the Fund may invest its remaining assets in the securities and financial instruments described below.

The Fund may invest in U.S. and foreign non-agency ABS, which are securities backed by a pool of some underlying asset, including but not limited to home equity loans, installment sale contracts, credit card receivables, or other assets.

The Fund may invest in U.S. and foreign non-agency mortgage-related securities. Mortgage-related securities may be composed of one or more classes and may be structured either as pass-through securities or collateralized debt obligations (which include collateralized bond obligations and collateralized loan obligations).

The Fund may invest in U.S. exchange-traded closed-end funds and exchange-traded funds (“ETFs”).¹⁶

The Fund may engage actively in transactions in derivatives (futures, options, swaps, and forward rate agreements) as described below. The Fund will normally use derivatives to supplement the effective management of its duration profile, to gain exposure to particular securities or markets, in connection with hedging transactions, or for purposes of efficient portfolio management, including managing cash flows or as part of the Fund’s risk management process.

The Fund may invest in U.S. and foreign exchange-traded and OTC put and call options. The Fund may engage in options transactions on any security, index, or instrument in which it may invest.

The Fund may invest in U.S. and foreign exchange-traded and OTC currency options.

The Fund may invest in U.S. and foreign exchange-traded futures contracts and options on futures contracts with respect to equity and debt securities, foreign currencies, aggregates of equity and debt securities (aggregates are composites of equity or debt securities that are not tied to a

commonly known index), interest rates, indices, commodities, and other financial instruments.

The Fund may enter into the following U.S. exchange-traded, foreign exchange-traded, and OTC swaps: Commodity swaps; total return swaps; currency swaps; credit default swaps (“CDS”); CDS index swaps (“CDX”); asset swaps; inflation swaps; event-linked swaps; interest rate swaps; swaps on specific securities or indices; and swaps on rates (such as mortgage prepayment rates). The Fund may invest in U.S. exchange-traded and OTC municipal derivatives (*i.e.*, municipal credit default swaps, municipal market data derivatives, rate locks, caps, collars, and floors). The Fund may also enter into options on swap agreements (“swaptions”).¹⁷

The Fund may enter into forward rate agreements.

The Fund may invest in inflation-protected debt securities.

The Fund may hold fixed income restricted securities, which are securities that cannot be offered for public resale unless registered under the applicable securities laws or that have a contractual restriction that prohibits or limits their resale.¹⁸

With respect to any of the Fund’s investments, the Fund may invest in when-issued and delayed delivery securities and forward commitments.

C. Investment Restrictions

The Exchange represents that the Fund’s investments will be consistent with its investment goal and will not be used to provide multiple returns of a benchmark or to produce leveraged returns.

With respect to the Fund’s investments in Municipal Securities, under normal market conditions, except for periods of high cash inflows or outflows,¹⁹ the Fund will satisfy the following criteria:

1. The Fund will have a minimum of 20 non-affiliated issuers;

¹⁷ Options on swaps are traded OTC. In the event that there are exchange-traded options on swaps, the Fund may invest in these instruments.

¹⁸ Restricted securities include private placement securities that have not been registered under the applicable securities laws, such as Rule 144A securities, and securities of U.S. and non-U.S. issuers that are issued pursuant to Regulation S.

¹⁹ “Periods of high cash inflows or outflows” as used in the filing means rolling periods of seven calendar days during which inflows or outflows of cash, in the aggregate, exceed 10% of the Fund’s net assets as of the opening of business on the first day of such periods. During such periods, the Fund may depart from its principal investment strategies; for example, it may hold a higher than normal proportion of its assets in cash.

2. No single Municipal Securities issuer will account for more than 10% of the weight of the Fund’s portfolio;

3. No individual bond will account for more than 5% of the weight of the Fund’s portfolio;

4. The Fund will limit its investments in Municipal Securities of any one state or U.S. territory to 25% of the Fund’s total assets, except that up to and including 40% of the Fund’s total assets may be invested in Municipal Securities of issuers in each of California, New York, and Texas;

5. The Fund’s investments in Municipal Securities will be diversified among issuers in at least 10 states and U.S. territories; and

6. The Fund will be diversified among a minimum of five different sectors of the Municipal Securities market.²⁰

The Exchange states that pre-refunded bonds will be excluded from the above limits given that they have a high level of credit quality and liquidity.²¹

D. Application of Generic Listing Requirements

The Exchange proposes to list and trade the Shares under NYSE Arca Rule 8.600-E, which includes generic listing requirements for Managed Fund Shares. According to the Exchange, the Fund’s portfolio will not meet all of the generic listing requirements of Commentary .01 to NYSE Arca Rule 8.600-E. Specifically, the Exchange states that the Fund’s portfolio will meet all such requirements except for those set forth in Commentary .01(b)(1) with respect to Municipal Securities.

Commentary .01(b)(1) to NYSE Arca Rule 8.600-E requires that, on both an initial and continuing basis, components that in the aggregate account for at least 75% of the fixed income weight of the portfolio each have a minimum original principal amount outstanding of \$100 million or more. The Exchange states that the Fund would not meet this requirement, as a

²⁰ The Fund’s investments in Municipal Securities will include investments in state and local (*e.g.*, county, city, town) Municipal Securities relating to such sectors as the following: Airports, bridges and highways, hospitals, housing, jails, mass transportation, nursing homes, parks, public buildings, recreational facilities, school facilities, streets, and water and sewer works.

²¹ The Exchange states that pre-refunded bonds (also known as refunded or escrow-secured bonds) have a high level of credit quality and liquidity because the issuer “pre-refunds” the bond by setting aside in advance all or a portion of the amount to be paid to the bondholders when the bond is called. Generally, an issuer uses the proceeds from a new bond issue to buy high grade, interest bearing debt securities, including direct obligations of the U.S. government, which are then deposited in an irrevocable escrow account held by a trustee bank to secure all future payments of principal and interest on the pre-refunded bonds.

¹⁶ For purposes of the filing, ETFs include Investment Company Units (as described in NYSE Arca Rule 5.2-E(j)(3)); Portfolio Depositary Receipts (as described in NYSE Arca Rule 8.100-E); and Managed Fund Shares (as described in NYSE Arca Rule 8.600-E). The ETFs all will be listed and traded in the U.S. on registered exchanges. The Fund will not invest in inverse or leveraged (*e.g.*, +2x, -2x) index ETFs.

result principally of the Fund's investments in Municipal Securities. The Exchange represents that the Fund's investments in Municipal Securities would be subject to the requirements described in Section II.C. above.

The Exchange represents that, other than Commentary .01(b)(1) with respect to Municipal Securities, the Fund's portfolio will meet all other requirements of NYSE Arca Rule 8.600–E.

III. Discussion and Commission's Findings

After careful review, the Commission finds that the proposed rule change, as modified by Amendment No. 3, is consistent with the Act and the rules and regulations thereunder applicable to a national securities exchange.²² In particular, the Commission finds that the proposed rule change, as modified by Amendment No. 3, is consistent with Section 6(b)(5) of the Act,²³ which requires, among other things, that the Exchange's rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

As noted above, the Fund's investments in Municipal Securities would not comply with Commentary .01(b)(1) to NYSE Arca Rule 8.600–E. The Exchange represents that the Fund would invest in various types of fixed income debt instruments, including Municipal Securities. According to the Exchange, permitting the Shares to be listed and traded on the Exchange, notwithstanding that, as a result principally of the Fund's investments in Municipal Securities, the Fund would not comply with Commentary .01(b)(1), would provide the Fund with greater ability to select from a broad range of fixed income securities that would support the Fund's investment goal.

The Commission notes that, as proposed, under normal market conditions, except for periods of high cash inflows or outflows, the Fund will satisfy the following criteria with respect to Municipal Securities: (1) The Fund will have a minimum of 20 non-affiliated issuers; (2) no single Municipal Securities issuer will account for more than 10% of the weight of the Fund's portfolio; (3) no individual bond

will account for more than 5% of the weight of the Fund's portfolio; (4) the Fund will limit its investments in Municipal Securities of any one state or U.S. territory to 25% of the Fund's total assets, except that up to and including 40% of the Fund's total assets may be invested in Municipal Securities of issuers in each of California, New York, and Texas; (5) the Fund's investments in Municipal Securities will be diversified among issuers in at least 10 states and U.S. territories; and (6) the Fund will be diversified among a minimum of five different sectors of the Municipal Securities market.²⁴ The Commission also notes that, other than Commentary .01(b)(1) with respect to Municipal Securities, the Fund will meet all the requirements of NYSE Arca Rule 8.600–E. The Commission believes that these proposed initial and continued listing requirements, including the requirements with respect to Municipal Securities, are designed to mitigate the potential for manipulation of the Shares.

The Commission also finds that the proposal is consistent with Section 11A(a)(1)(C)(iii) of the Act,²⁵ which sets forth Congress's finding that it is in the public interest and appropriate for the protection of investors and the maintenance of fair and orderly markets to assure the availability to brokers, dealers, and investors of information with respect to quotations for, and transactions in, securities. Quotation and last-sale information for the Shares will be available via the Consolidated Tape Association ("CTA") high-speed line. The iNAV (which is the Portfolio Indicative Value, as defined in NYSE Arca Rule 8.600–E(c)(3)), will be widely disseminated by one or more major market data vendors at least every 15 seconds during the Exchange's Core Trading Session.²⁶ Information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. Information regarding the previous day's closing price and trading volume information for the Shares will be publicly available and will be published daily in the financial section of newspapers.

Quotation and last sale information for ETFs will be available via the CTA

high-speed line, and from the national securities exchanges on which they are listed. U.S. exchange-traded options quotation and last sale information is available via the Options Price Reporting Authority. Foreign exchange-traded options, U.S. and foreign exchange-traded futures contracts and options on futures contracts, U.S. and foreign exchange-traded swaps (if applicable), and exchange-traded municipal derivatives price information is available from the applicable U.S. or foreign exchange and major market data vendors. Quotation information from brokers and dealers or pricing services will be available for Municipal Securities. Price information for money market funds and other investment company securities (other than ETFs) will be available from the applicable investment company's website and from market data vendors. Pricing information regarding fixed income debt instruments, cash equivalents, OTC options, OTC swaps, swaptions, restricted securities, non-agency ABS, non-agency mortgage-related securities, forward rate agreements, OTC municipal derivatives, CDX, and inflation-protected debt securities will generally be available through nationally recognized data service providers through subscription agreements. One source of price information for municipal securities is the Electronic Municipal Market Access, which is administered by the Municipal Securities Rulemaking Board.

In addition, the Fund's website will include the Fund's prospectus and additional data relating to net asset value ("NAV") and other applicable quantitative information.

The Commission also believes that the proposal is reasonably designed to promote fair disclosure of information that may be necessary to price the Shares appropriately and to prevent trading when a reasonable degree of transparency cannot be assured. The Exchange will obtain a representation from the issuer of the Shares that the NAV per Share will be calculated daily and that the NAV and the Disclosed Portfolio (as defined in NYSE Arca Rule 8.600–E(c)(2)) will be made available to all market participants at the same time. Trading in the Shares will be halted if the circuit-breaker parameters in NYSE Arca Rule 7.12–E have been reached. Trading also may be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. Moreover, trading in the Shares will be subject to NYSE Arca Rule 8.600–E(d)(2)(D), which sets forth circumstances under which the Shares may be halted.

²² In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

²³ 15 U.S.C. 78f(b)(5).

²⁴ The Exchange states that pre-refunded bonds will be excluded from the above limits given that they have a high level of credit quality and liquidity.

²⁵ 15 U.S.C. 78k–1(a)(1)(C)(iii).

²⁶ Currently, it is the Exchange's understanding that several major market data vendors display and/or make widely available Portfolio Indicative Values taken from the CTA or other data feeds.

The Exchange states that it has a general policy prohibiting the distribution of material, non-public information by its employees. The Exchange states that neither the Manager nor the Sub-Adviser is registered as a broker-dealer, but each is affiliated with a broker-dealer. The Exchange states that the Manager and Sub-Adviser each has implemented and will maintain a fire wall with respect to such broker-dealer affiliate regarding access to information concerning the composition of and/or changes to the Fund's portfolio.²⁷ Further, the Exchange states that, consistent with NYSE Arca Rule 8.600–E(d)(2)(B)(ii), the Manager will implement and maintain, or be subject to, procedures designed to prevent the use and dissemination of material, non-public information regarding the actual components of the Fund's portfolio.²⁸

The Exchange deems the Shares to be equity securities, thus rendering trading in the Shares subject to the Exchange's existing rules governing the trading of equity securities. In support of this proposal, the Exchange represents that:

(1) Other than Commentary .01(b)(1) with respect to Municipal Securities, the Fund will meet all the requirements of NYSE Arca Rule 8.600–E. The Fund's investments in Municipal Securities will be subject to the requirements described in Section II.C. above.

(2) A minimum of 100,000 Shares will be outstanding at the commencement of trading on the Exchange.

(3) Trading in the Shares will be subject to the existing trading surveillances, administered by the Financial Industry Regulatory Authority ("FINRA") on behalf of the Exchange, or by regulatory staff of the Exchange, and these procedures are adequate to properly monitor Exchange trading of the Shares in all trading sessions and to deter and detect violations of Exchange rules and federal securities laws applicable to trading on the Exchange.²⁹

(4) The Exchange or FINRA, on behalf of the Exchange, or both, will communicate as needed regarding trading in the Shares, ETFs, exchange-traded closed-end funds, exchange-traded municipal derivatives, certain

exchange-traded options, and certain exchange-traded futures with other markets and other entities that are members of the Intermarket Surveillance Group, and the Exchange or FINRA, on behalf of the Exchange, or both, may obtain trading information regarding trading in the Shares, ETFs, exchange-traded closed-end funds, exchange-traded municipal derivatives, certain exchange-traded options, and certain exchange-traded futures from such markets and other entities. In addition, the Exchange may obtain information regarding trading in the Shares, ETFs, exchange-traded closed-end funds, exchange-traded municipal derivatives, certain exchange-traded options, and certain exchange-traded futures from markets and other entities with which the Exchange has in place a comprehensive surveillance sharing agreement. FINRA, on behalf of the Exchange, is able to access, as needed, trade information for certain fixed income securities held by the Fund reported to FINRA's Trade Reporting and Compliance Engine. FINRA also can access data obtained from the Municipal Securities Rulemaking Board relating to municipal bond trading activity for surveillance purposes in connection with trading in the Shares.

(5) Prior to the commencement of trading, the Exchange will inform its Equity Trading Permit Holders in an Information Bulletin of the special characteristics and risks associated with trading the Shares. Specifically, the Information Bulletin will discuss: (a) The procedures for purchases and redemptions of Shares in creation unit aggregations (and that Shares are not individually redeemable); (b) NYSE Arca Rule 9.2–E(a), which imposes a duty of due diligence on its Equity Trading Permit Holders to learn the essential facts relating to every customer prior to trading the Shares; (c) the risks involved in trading the Shares during the Early and Late Trading Sessions when an updated iNAV will not be calculated or publicly disseminated; (d) how information regarding the iNAV and the Disclosed Portfolio is disseminated; (e) the requirement that Equity Trading Permit Holders deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction; and (f) trading information.

(6) The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions.

(7) For initial and continued listing, the Fund will be in compliance with Rule 10A–3 under the Act.³⁰

(8) The Fund's investments will be consistent with its investment goal and will not be used to provide multiple returns of a benchmark or to produce leveraged returns.

The Exchange represents that all statements and representations made in the filing regarding: (1) The description of the portfolio or reference asset; (2) limitations on portfolio holdings or reference assets; or (3) the applicability of Exchange listing rules specified in the rule filing constitute continued listing requirements for listing the Shares on the Exchange. In addition, the issuer must notify the Exchange of any failure by the Fund to comply with the continued listing requirements and, pursuant to its obligations under Section 19(g)(1) of the Act, the Exchange will monitor³¹ for compliance with the continued listing requirements. If the Fund is not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under NYSE Arca Rule 5.5–E(m).

This approval order is based on all of the Exchange's statements and representations, including those set forth above and in Amendment No. 3.

For the foregoing reasons, the Commission finds that the proposed rule change, as modified by Amendment No. 3, is consistent with Section 6(b)(5) of the Act³² and Section 11A(a)(1)(C)(iii) of the Act³³ and the rules and regulations thereunder applicable to a national securities exchange.

IV. Solicitation of Comments on Amendment No. 3 to the Proposed Rule Change

Interested persons are invited to submit written data, views, and arguments concerning whether Amendment No. 3 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

³¹ The Commission notes that certain proposals for the listing and trading of exchange-traded products include a representation that the exchange will "surveil" for compliance with the continued listing requirements. *See, e.g.,* Securities Exchange Act Release No. 77499 (April 1, 2016), 81 FR 20428, 20432 (April 7, 2016) (SR–BATS–2016–04). In the context of this representation, it is the Commission's view that "monitor" and "surveil" both mean ongoing oversight of compliance with the continued listing requirements. Therefore, the Commission does not view "monitor" as a more or less stringent obligation than "surveil" with respect to the continued listing requirements.

³² 15 U.S.C. 78f(b)(5).

³³ 15 U.S.C. 78k–1(a)(1)(C)(iii).

²⁷ The Exchange also represents that an investment adviser to an open-end fund is required to be registered under the Investment Advisers Act of 1940.

²⁸ The Exchange states that the Manager will be the Reporting Authority for purposes of NYSE Arca Rule 8.600–E(d)(2)(B)(ii).

²⁹ The Exchange states that FINRA conducts cross-market surveillances on behalf of the Exchange pursuant to a regulatory services agreement, and that the Exchange is responsible for FINRA's performance under this regulatory services agreement.

³⁰ See 17 CFR 240.10A–3.

- Send an email to rule-comments@sec.gov. Please include File Number SR–NYSEArca–2017–99 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEArca–2017–99. 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 website (<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 website 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSEArca–2017–99, and should be submitted on or before April 26, 2018.

V. Accelerated Approval of Proposed Rule Change, as Modified by Amendment No. 3

The Commission finds good cause to approve the proposed rule change, as modified by Amendment No. 3, prior to the thirtieth day after the date of publication of notice of the filing of Amendment No. 3 in the **Federal Register**. The Commission notes that Amendment No. 3 clarified the application of NYSE Arca Rule 8.600–E to the Fund's investments. Amendment No. 3 also provided other clarifications and additional information to the proposed rule change. The changes and additional information in Amendment No. 3 assisted the Commission in

finding that the proposal is consistent with the Act. Accordingly, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,³⁴ to approve the proposed rule change, as modified by Amendment No. 3, on an accelerated basis.

VI. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,³⁵ that the proposed rule change (SR–NYSEArca–2017–99), as modified by Amendment No. 3 be, and hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁶

Eduardo Aleman,

Assistant Secretary.

[FR Doc. 2018–06914 Filed 4–4–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82969; File No. SR–NASDAQ–2018–024]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Clarify the Requirements for Delivery of a Contrary Exercise Advice

March 30, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),¹ and Rule 19b–4 thereunder,² notice is hereby given that on March 20, 2018, The Nasdaq Stock Market LLC (“Nasdaq” or “Exchange”) filed with the Securities and Exchange Commission (“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 rules of the Nasdaq Options Market LLC (“NOM”), at Chapter VIII, Exercises and Deliveries.

The text of the proposed rule change is available on the Exchange's website at <http://nasdaq.cchwallstreet.com>, at the principal office of the Exchange, and at

³⁴ 15 U.S.C. 78s(b)(2).

³⁵ *Id.*

³⁶ 17 CFR 200.30–3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to correct Chapter VIII, Exercises and Deliveries, Section 1, Exercise of Options Contracts, to clarify the requirements for delivery of a Contrary Exercise Advice. Section 1(b) currently provides that option holders desiring to exercise or not exercise expiring options must either (i) take no action and allow exercise determinations to be made in accordance with the Options Clearing Corporation's Ex-by-Ex procedure where applicable, or (ii) submit a “Contrary Exercise Advice” to the Options Clearing Corporation through the participant's clearing firm. In actual practice, however, an option holder delivers a Contrary Exchange Advice to the Exchange, not to the Options Clearing Corporation. The Exchange therefore proposes to replace the words “Options Clearing Corporation through the participants clearing firm” in Section 1(b)(ii) with a reference to the Exchange and make similar, conforming changes to Section 1(e)(i). As amended, Section 1(b) would be consistent with Nasdaq ISE Rule 1100(b) which directs option holders to submit Contrary Exercise Advices to the Exchange (not to the Options Clearing Corporation).

The Exchange proposes to further replace the words “by the deadline specified in paragraph (d) below” with the words “as specified in paragraph (d) below” given that paragraph (d) contains a number of requirements associated with submission of Contrary Exercise Advices in addition to the deadline. As revised, Section (b)(ii) tracks the language of ISE Rule 1100(b)(ii) which permits an options holder desiring to exercise or not

exercise expiring options to “submit a “Contrary Exercise Advice” to the Exchange as specified in paragraph (d)” (which, like the counterpart NOM paragraph (d) rule, specifies various requirements associated with submitting Contrary Exercise Advices).

Finally, the Exchange proposes to make a number of nonsubstantive revisions to Chapter VIII which are designed simply to facilitate administration of the rules. References to “NOM” and to “Nasdaq Regulation” are proposed to be replaced with references to “the Exchange.”³ Substituting the word “Exchange” for NOM in various places will provide the Exchange flexibility to determine the most appropriate department or individual within the Exchange to oversee the particular rule, and will also facilitate the incorporation by reference of the amended rule into the rules of NOM’s affiliated exchanges in the future.⁴

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,⁵ in general, and furthers the objectives of Section 6(b)(5) of the Act,⁶ in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest, by identifying the correct entity to which option holders must deliver Contrary Exercise Advices and by substituting the word “Exchange” for NOM in various places which will enable the amended rule to be incorporated by reference into rules of affiliated exchanges in the future, which should enhance the ability of members of NOM and affiliated exchanges to understand and

³ The changes are proposed to be made in Section 1(b), (d), (e), (f), (g), (h), (i) (k) and (l), as well as in Section 2(a) and (b), of Chapter VIII. The Exchange notes that Chapter 11, Exercises and Deliveries, of the ISE Rulebook likewise uses the generic term “the Exchange” throughout that chapter.

⁴ Recently, the Exchange added a shell structure to its Rulebook with the purpose of improving efficiency and readability and to align its rules closer to those of its five sister exchanges, Nasdaq BX, Inc.; Nasdaq PHLX LLC; Nasdaq ISE, LLC; Nasdaq GEMX, LLC; and Nasdaq MRX, LLC (“Affiliated Exchanges”). See Securities Exchange Act Release No. 82175 (November 29, 2017), 82 FR 57494 (December 5, 2017) (SR–NASDAQ–2017–125). The changes proposed herein are being made in connection with that effort, to align the NOM rules with those of the Affiliated Exchanges more closely.

⁵ 15 U.S.C. 78f(b).

⁶ 15 U.S.C. 78f(b)(5).

comply with a uniform set of rules across the exchanges.

B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule changes will apply equally to all option holders desiring to exercise options under the NOM rules. Further, the proposed changes merely correct an incorrect reference to OCC and conform the wording of the rule more closely to that of a NOM rule for the sake of administrative convenience. The Exchange does not intend for or expect that such changes will have any impact on competition.

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 Act⁷ and subparagraph (f)(6) of Rule 19b–4 thereunder.⁸

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.

⁷ 15 U.S.C. 78s(b)(3)(A)(iii).

⁸ 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.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission’s internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR–NASDAQ–2018–024 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–2018–024. 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 website (<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 website 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NASDAQ–2018–024, and should be submitted on or before April 26, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁹

Eduardo Aleman,

Assistant Secretary.

[FR Doc. 2018-06912 Filed 4-4-18; 8:45 am]

BILLING CODE 8011-01-P

DEPARTMENT OF STATE

[Public Notice 10377]

Notifications of Proposed Export Licenses to the Congress

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.

Applicable Date: As shown on each of the 39 letters.

FOR FURTHER INFORMATION CONTACT: Mr. Anthony M. Dearth Directorate of Defense Trade Controls, Department of State, telephone (202) 663-2836; e-mail DDTCResponseTeam@state.gov. ATTN: Congressional Notification of Licenses.

SUPPLEMENTARY INFORMATION: Pursuant to sections 36(c) and 36(d), and in compliance with section 36(f), of the Arms Export Control Act. 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 a timely manner in the **Federal Register**, upon transmittal to Congress.

Following are such notifications to the Congress:

July 03, 2017

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 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 operational support, maintenance, and overhaul of F110-GE-100/100B/129/129B/129C/129D/129E/132/132A aircraft engines, used in F-15 and F-16 aircraft to the Republic 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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 16-091.

Sep 12 2017

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 various machine guns and spare barrels 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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 16-117.

Jul 10, 2017

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 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 M16A4 rifles, spare parts, accessories, and training 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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 16-123.

Sep 07, 2017

Honorable Paul D. 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 the Republic of Korea to support the design and manufacture of Controllable Pitch Propellers and Shafting Systems for the Korean KDX-III Batch II Destroyer program.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 16-124.

Jul 10, 2017

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 M4A1 carbines with flash and sound suppressors, associated components and equipment to the Republic of Tunisia.

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.

⁹ 17 CFR 200.30-3(a)(12).

Sincerely,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 16–129.

Jul 5, 2017

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 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 United Arab Emirates to establish a Patriot Weapon System Additional Equipment and Spares Program.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 16–130.

Jul 19, 2017

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 and accessories 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 pistols to El Salvador.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 16–134.

Jul 03, 2017

Honorable Paul D. 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 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 support the manufacture and maintenance of South Korea's T-50 aircraft program for ultimate end-use by the Kingdom of Thailand, Royal Air Force.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17–002.

Jul 21, 2017

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 proposed license amendment for export 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 support the establishment of an F-35 aircraft Final Assembly and Checkout (FACO) facility in Nagoya, Japan for end-use by the Japan Air Self Defense Force.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17–016.

Jul 21, 2017

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 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 M1500 bolt action rifles in various calibers and accessories to Argentina 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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17–020.

Jul 03, 2017

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 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 5.56mm carbines with extra magazines and parts to Malaysia.

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,
Charles S. Faulkner,
Bureau of Legislative Affairs.
Enclosure: Transmittal No. DDTC 17-027.
Sep 13, 2017

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 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 rifles, semi-automatic pistols, and magazines to Peru.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-031

Sep 07, 2017

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 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 the United Kingdom for the manufacture and assembly of F135 engine parts and components.

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,
Charles S. Faulkner,
Bureau of Legislative Affairs.
Enclosure: Transmittal No. DDTC 17-035.
Sep 11, 2017

Honorable Paul D. Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Sections 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 \$14,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services for the procurement of CH-47F (SG) Chinook helicopters and associated spare parts, support equipment, defense articles, and services for end-use by the Ministry of Defence, 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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-039.

Jul 19, 2017

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 to Australia to support the P-8 Production, Sustainment, and Follow-on Development Memorandum of Understanding.

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,
Charles S. Faulkner,
Bureau of Legislative Affairs.
Enclosure: Transmittal No. DDTC 17-042.
Sep 11, 2017

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 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 light machine guns with spare barrels, ammunition, and accessories to Indonesia.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-049.

Sep 07, 2017

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 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 2000 lb. Tritonal filled MK84 bombs to the Government of Israel.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-052.

Aug 30, 2017

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 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 fully automatic rifles, semi-automatic pistols, and silencers with extra magazines and accessories to Indonesia.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-053.

Sep 07, 2017

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 9mm semi-automatic pistols 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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-062.

Aug 18, 2017

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 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 the United Kingdom and Germany to support the integration, installation, operation, testing, and use of Inertial Measurement Units in the Paveway Program.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-064.

Dec 18, 2017

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 rifles and accessories to Bahrain.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 16-072.

Dec 27, 2017

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 \$50,000,000 or more.

The transaction contained in the attached certification involves the export of Inertial Measurement Units to be Republic of Korea for integration into 2.75 inch guided rockets for end-use by the United Arab Emirates Armed Forces.

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,

Mary K. Waters,

Assistant Secretary Legislative Affairs.

Enclosure: Transmittal No. DDTC 16-088.

Dec 26, 2017

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 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 Intelligence and Surveillance Aircraft and associated Ground Stations to the Republic of Algeria.

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,

Mary K. Waters,

Assistant Secretary Legislative Affairs.

Enclosure: Transmittal No. DDTC 16-140.

Dec 27, 2017

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 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 Model 249, 5.56 caliber machine guns, Model M2 HB QCB, .50 caliber machine guns, 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,

Mary K. Waters,

Assistant Secretary Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-012

Nov 01, 2017

Honorable Paul D. 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 the Republic of Korea to support the design and manufacture of Programmers and Digital Cockpit Display Units for ALE-47(V) Threat Adaptive Countermeasures Dispenser System (TACDS) to be used in Korean Utility Helicopters of the South Korean Army.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-022.

Nov 01, 2017

Honorable Paul D. 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 Canada to support the manufacture and delivery of constituent material of plasma spray powder for use in certain U.S. military ceramic coatings.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-026.

Dec 18, 2017

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 firearm 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 5.56mm upper receiver assemblies, barrel assemblies, 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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-028.

Oct 30, 2017

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 accessories abroad controlled under Category I of the United States Munitions List in amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of M60 and M2HB machine guns, MK19 grenade machine guns, and associated components for the Tunisian Ministry of Defense.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-038

Oct 30, 2017

Honorable Michael Pence, *President of the Senate.*

Dear Mr. President:

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, 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 Australia to support the depot level maintenance of F404-GE-400 engines installed on F-18 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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-040

Dec 27, 2017

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 accessories abroad controlled under Category I of the United States Munitions List in amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of automatic carbines, M16A1 rifles, grenade launcher, sound and flash suppressors, scopes, maintenance training, and parts and accessories for Bahrain.

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,

Mary K. Waters,

Assistant Secretary Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-043.

Dec 31, 2017

Honorable Edward Royce, *Chairman of the Committee on Foreign Affairs.*

Dear Mr. Chairman:

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, 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 Saudi Arabia in support of the assembly and integration of cannons onto weapons stations for further integration onto pickup trucks and patrol boats for end-use by the Ministry of Interior, Kingdom of Saudi Arabia.

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,

Mary K. Waters,

Assistant Secretary Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-044.

Dec 27, 2017

Honorable Michael R. Pence, *President of the Senate*

Dear Mr. President:

Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting certification of a proposed license for the export of firearm parts and accessories abroad controlled under Category I of the United States Munitions List in amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of Machine Gun Reflex Sights to Jordan.

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,

Mary K. Waters,

Assistant Secretary Legislative Affairs,

Enclosure: Transmittal No. DDTC 17-046.

Oct 30, 2017

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 export 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 manufacture, integration, installation and assembly of the Japanese Patriot PAC-3 missile program.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-048.

Oct 24, 2017

Honorable Paul D. 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 Canada to support the design, development, demonstration, qualification, assembly, manufacture, processing, analysis, test, and modification of Tube-launched, Optically-tracked, Wirelessly-guided (TOW) Launch Motor propellant for the TOW Weapon System.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-051.

Oct 30, 2017

Honorable Paul Ryan, *Speaker of the House of Representatives.*

Dear Mr. Speaker:

Pursuant to Sections 36 (c) and 36(d) of the Arms Export Control Act, we are transmitting certification of a proposed license for the export of 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 or more.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services for the manufacture of F404 and F414 aircraft engine components in Canada to supply General Electric Aviation's production lines in the United States.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-061.

Oct 30, 2017

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, we are transmitting certification of 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 manufacture of PAC-3 Missile Segment Command and Launch System for the Japanese PATRIOT Growth Program.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-059.

Oct 30, 2017

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 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, and repair of KC-767 tanker.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-069.

Oct 30, 2017

Honorable Paul D. 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 Republic of Korea to support the manufacture, integration, installation, and testing of the Electro-Optical Tracking System II.

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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-072.

Nov 01, 2017

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 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 caliber finished replacement barrels and various caliber rifle barrel blanks for commercial resale 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,

Charles S. Faulkner,

Bureau of Legislative Affairs.

Enclosure: Transmittal No. DDTC 17-081.

Anthony M. Dearth,

(Acting) Managing Director, Directorate of Defense Trade Controls, Department of State.

[FR Doc. 2018-06952 Filed 4-4-18; 8:45 am]

BILLING CODE 4710-25-P

DEPARTMENT OF STATE

[Public Notice: 10382]

Notice of Business Roundtable Meeting on U.S.-Japan Infrastructure Partnership in Third Countries

AGENCY: Department of State.

ACTION: Notice of meeting.

Notice is hereby given of a business roundtable meeting with U.S. and Japanese industry. The meeting will take place on Monday, April 23, 2018, at the U.S. Department of State (2201 C Street NW, Washington, DC 20520). The meeting will be on the U.S.-Japan Infrastructure Partnership in Third Countries. The partnership is intended to assist U.S. and Japanese industry to expand business opportunities in the Indo-Pacific region and to help Indo-Pacific nations secure quality, best value infrastructure that meets their social and

economic goals. This roundtable discussion advances our decision under the U.S.-Japan Economic Dialogue to strengthen U.S.-Japan public and private sector partnerships on third country infrastructure projects.

Members of the public may participate in the meeting, subject to meeting room capacity and the instructions of the Chair. Registration will begin promptly at 8:00 a.m. and the meeting is expected to last approximately nine hours. An RSVP is required by 5:00 p.m. on Friday, April 13. To request more information about the meeting or the partnership, to RSVP, and to make any requests for reasonable accommodation, email us-jp-infrastructure@state.gov. Requests for reasonable accommodation made after April 13 will be considered, but might not be possible to fulfill.

DATES: The meeting will be held April 23, 2018. Please RSVP and submit any requests for reasonable accommodation by April 13, 2018.

FOR FURTHER INFORMATION CONTACT: Ms. Heather Dresser, Foreign Affairs Officer, Office of Japan Affairs, email: us-jp-infrastructure@state.gov or phone (202) 736-7050.

Edwin S. Saeger,

Acting Director, Office of Japan Affairs, Department of State.

[FR Doc. 2018-06954 Filed 4-4-18; 8:45 am]

BILLING CODE 4710-30-P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket Number USTR-2018-0004, Dispute Number WTO/DS541]

WTO Dispute Settlement Proceeding Regarding India—Export Related Measures

AGENCY: Office of the United States Trade Representative.

ACTION: Notice with request for comments.

SUMMARY: The Office of the United States Trade Representative (USTR) is providing notice that on March 14, 2018, the United States requested consultations with India under the *Marrakesh Agreement Establishing the World Trade Organization* (WTO Agreement) concerning certain Indian export subsidy measures. That request is available at www.wto.org in a document designated as WT/DS541/1. USTR invites written comments from the public concerning the issues raised in this dispute.

DATES: Although USTR will accept any comments received during the course of

the dispute settlement proceedings, you should submit your comment on or before April 16, 2018, to be assured of timely consideration by USTR.

ADDRESSES: USTR strongly prefers electronic submissions made through the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments in section III below. The docket number is USTR–2018–0004. For alternatives to on-line submissions, please contact Sandy McKinzy at (202) 395–9483.

FOR FURTHER INFORMATION CONTACT: Assistant General Counsel Ross Bidlingmaier (202) 395–9409 or David Lee (202) 395–9511.

SUPPLEMENTARY INFORMATION:

I. Background

USTR is providing notice that consultations have been requested pursuant to the WTO *Understanding on Rules and Procedures Governing the Settlement of Disputes* (DSU). If these consultations do not resolve the matter, the United States could request that the WTO establish a dispute settlement panel pursuant to the DSU, which would hold its meetings in Geneva Switzerland, and issue a report on its findings.

II. Major Issues Raised by the United States

On March 14, 2018, the United States requested consultations concerning certain Indian export subsidies provided through: (1) The Export Oriented Units Scheme and sector specific schemes, including Electronics Hardware Technology Parks Scheme, (2) the Merchandise Exports from India Scheme, (3) the Export Promotion Capital Goods Scheme, (4) Special Economic Zones, and (5) a duty-free imports for exporters program.

The United States alleges that India is providing prohibited export subsidies contrary to Articles 3.1(a) and 3.2 of the *Agreement on Subsidies and Countervailing Measures*.

III. Public Comments: Requirements for Submissions

USTR invites written comments concerning the issues raised in this dispute. All submissions must be in English and sent electronically via www.regulations.gov. For alternatives to electronic submissions, contact Sandy McKinzy at (202) 395–9483.

To submit comments via www.regulations.gov, enter docket number USTR–2018–0004 on the home page and click “search.” The site will provide a search-results page listing all documents associated with this docket.

Find a reference to this notice by selecting “Notice” under “Document Type” on the left side of the search-results page, and click on the link entitled “Comment Now!” For further information on using the www.regulations.gov website, please consult the resources provided on the website by clicking on “How to Use Regulations.gov” on the bottom of the home page.

The www.regulations.gov website allows users to provide comments by filling in a “Type Comment” field, or by attaching a document using an “Upload File” field. USTR prefers that comments be provided in an attached document. If a document is attached, it is sufficient to type “See attached” in the “Type Comment” field. USTR prefers submissions in Microsoft Word (.doc) or Adobe Acrobat (.pdf). If the submission is in an application other than those two, please indicate the name of the application in the “Type Comment” field.

For any comments submitted electronically containing business confidential information, the file name of the business confidential version should begin with the characters “BC”. Any page containing business confidential information must be clearly marked “BUSINESS CONFIDENTIAL” on the top of that page and the submission should clearly indicate, via brackets, highlighting, or other means, the specific information that is business confidential. If you request business confidential treatment, you must certify in writing that disclosure of the information would endanger trade secrets or profitability, and that the information would not customarily be released to the public. Filers of submissions containing business confidential information also must submit a public version of their comments. The file name of the public version should begin with the character “P”. The “BC” and “P” should be followed by the name of the person or entity submitting the comments or rebuttal comments. If these procedures are not sufficient to protect business confidential information or otherwise protect business interests, please contact Sandy McKinzy at (202) 395–9483 to discuss whether alternative arrangements are possible.

USTR may determine that information or advice contained in a comment, other than business confidential information, is confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If a submitter believes that information or advice is confidential, s/he must clearly designate the information or advice as

confidential and mark it as “SUBMITTED IN CONFIDENCE” at the top and bottom of the cover page and each succeeding page, and provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the Uruguay Round Agreements Act (19 U.S.C. 3537(e)), USTR will maintain a docket on this dispute settlement proceeding, docket number USTR–2018–0004, accessible to the public at www.regulations.gov. The public file will include non-confidential public comments USTR receives regarding the dispute. If a dispute settlement panel is convened, or in the event of an appeal from a panel, USTR will make the following documents publicly available at www.ustr.gov: The U.S. submissions and any non-confidential summaries of submissions received from other participants in the dispute. If a dispute settlement panel is convened, or in the event of an appeal from a panel, the report of the panel, and, if applicable, the report of the Appellate Body, will also be available on the website of the World Trade Organization, at www.wto.org.

Juan A. Millán,

Assistant United States Trade Representative for Monitoring and Enforcement, Office of the U.S. Trade Representative.

[FR Doc. 2018–06925 Filed 4–4–18; 8:45 am]

BILLING CODE 3290–F8–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Request To Release Airport Property at the South Valley Regional Airport, Salt Lake City, UT

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comment.

SUMMARY: The FAA proposes to rule and invite public comment on the release of land at the South Valley Regional Airport, Salt Lake City, UT.

DATES: Comments must be received on or before May 7, 2018.

ADDRESSES: Comments on this application may be mailed or delivered to the FAA at the following address: Mr. John P. Bauer, Manager, Federal Aviation Administration, Northwest Mountain Region, Airports Division, Denver Airports District Office, 26805 E 68th Avenue, Suite 224, Denver, CO 80249–6361.

In addition, one copy of any comments submitted to the FAA must

be mailed or delivered to Mr. Joel Nelson, Salt Lake City Department of Airports, Salt Lake City, UT, at the following address: Mr. Joel Nelson, Airport Property and Real Estate Manager, Salt Lake City Department of Airports, P.O. Box 145550, Salt Lake City, UT 84114.

FOR FURTHER INFORMATION CONTACT: Mr. Marc Miller, Colorado State Engineer/Compliance Specialist, Federal Aviation Administration, Northwest Mountain Region, Denver Airports District Office, 26805 E 68th Avenue, Suite 224, Denver, CO 80249-6361, (303) 342-1282.

The request to release property may be reviewed, by appointment, in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA invites public comment on the request to release property at the South Valley Regional Airport under the provisions of the AIR 21 (49 U.S.C. 47107(h)(2)).

On March 23, 2018, the FAA determined that the request to release property at the South Valley Regional Airport submitted by the Salt Lake City Department of Airports meets the procedural requirements of the Federal Aviation Administration.

The following is a brief overview of the request:

The Salt Lake City Department of Airports is proposing the release from the terms, conditions, reservations, and restrictions on approximately 4.26 acres of federally obligated land at the South Valley Regional Airport. A small portion of the New Bingham Highway will be re-routed from inside of the Runway Protection Zone (RPZ) to the outside and west of the RPZ. This portion of the New Bingham Highway, now inside the RPZ, will be vacated and turned over to airport ownership and maintenance. An additional action is to improve and widen the existing 7800 South Right-of-way. Slivers of land will be needed to accommodate the proposed street widening improvements through this area (0.903 acres) and is included in the overall land release request.

The property release conveyance will include appropriate continuing right of flight and continuing restriction clauses that will prohibit any activity on the land that would interfere with or be a hazard to the flight of aircraft over the land or to and from the airport, or that interferes with air navigation and communications facilities serving the airport.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon appointment and request, inspect the

application, notice and other documents germane to the application in person at the Salt Lake City Department of Airports.

Issued in Denver, CO on March 23, 2018.

John P. Bauer,
Manager, Denver Airports District Office.
[FR Doc. 2018-06998 Filed 4-4-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Noise Exposure Map Notice; Receipt of Noise Compatibility Program and Request for Review: Jackson Hole Airport, Jackson, WY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Noise Exposure Map notice and receipt of Noise Compatibility Program and request for review.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the Noise Exposure Maps submitted by the Jackson Hole Airport Board for the Jackson Hole Airport in Jackson, Wyoming, under the provisions of the Aviation Safety and Noise Abatement Act and FAA's ensuing regulations, are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed Noise Compatibility Program that was submitted for the Jackson Hole Airport under FAA's regulations in conjunction with the Noise Exposure Maps, and that this program will be approved or disapproved on or before September 19, 2018.

DATES: The applicability date of the FAA's determination on the Noise Exposure Maps and of the start of its review of the associated Noise Compatibility Program is March 23, 2018. The public comment period ends May 22, 2018.

FOR FURTHER INFORMATION CONTACT: Ms. Kandice Krull at the Federal Aviation Administration, Denver Airports District Office, 26805 E 68th Ave, Suite 224, Denver, Colorado 80249-6361, Telephone 303-342-1261, Email kandice.krull@faa.gov.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the Noise Exposure Maps submitted for the Jackson Hole Airport are in compliance with applicable requirements of Title 14 Code of Federal Regulations (CFR) part 150, applicable March 23, 2018. Furthermore, FAA is reviewing a proposed Noise Compatibility Program for the Jackson

Hole Airport that which be approved or disapproved on or before September 19, 2018. This notice also announces the availability of this Program for public review and comment.

Under 49 U.S.C., section 47503, Aviation Safety and Noise Abatement Act (the Act), an airport operator may submit to the FAA Noise Exposure Maps which meet applicable regulations and which depict non-compatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested parties in the local community, government agencies, and persons using the airport.

An airport operator who has submitted Noise Exposure Maps that are found by FAA to be in compliance with the requirements of part 150, promulgated pursuant to the Act, may submit a Noise Compatibility Program for FAA approval which sets forth the measures the operator has taken or proposes to take to reduce existing non-compatible uses and prevent the introduction of additional non-compatible uses.

The Jackson Hole Airport Board submitted to the FAA on March 21, 2018 Noise Exposure Maps, descriptions and other documentation that were produced during the Jackson Hole Airport part 150 Study conducted between September 9, 2013 and March 21, 2018. It was requested that the FAA review this material as the Noise Exposure Maps, as described in section 47503 of the Act, and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a Noise Compatibility Program under section 47504 of the Act.

The FAA has completed its review of the Noise Exposure Maps and accompanying documentation submitted by the Jackson Airport Board. The documentation that constitutes the "Noise Exposure Maps" as defined in CFR part 150 section 150.7 includes: Jackson Hole Airport 14 CFR part 150 Study Update, Updated Noise Exposure Maps, Figure 1-3 Airport Layout, Figure 1-7 Noise Monitor Sites, Figure 1-8 Generalized Existing Zoning, Figure 4-3 Modeled South Flow Flight Tracks, Figure 4-4 Modeled North Flight Tracks, Figure 4-7 2014 Noise Exposure Map on Existing Land Use, and Figure 9-1 2020 Noise Exposure Map on Future Land Use. The FAA has determined that these Noise Exposure Maps and accompanying documentation are in compliance with applicable

requirements. This determination is applicable on March 23, 2018.

The FAA's determination on an airport operator's Noise Exposure Maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of CFR part 150. Such determination does not constitute approval of the airport operator's data, information or plans, or a commitment to approve a Noise Compatibility Program or to fund implementation of that Program. If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a Noise Exposure Map submitted under section 47503 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise exposure contours, or in interpreting the Noise Exposure Maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 47506 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under part 150 or through FAA's review of Noise Exposure Maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator that submitted those maps, or those public agencies and planning agencies with which consultation is required under section 47503 of the Act. The FAA has relied on the certification by the airport operator, under section 150.21 of part 150, that the statutorily required consultation has been accomplished.

The FAA has formally received the Noise Compatibility Program for the Jackson Hole Airport, also effective on March 23, 2018. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of Noise Compatibility Programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before September 19, 2018.

The FAA's detailed evaluation will be conducted under the provisions of part 150, section 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably

consistent with obtaining the goal of reducing existing non-compatible land uses and preventing the introduction of additional non-compatible land uses. Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable.

Copies of the full Noise Exposure Map documentation and the proposed Noise Compatibility Program are available for examination at the following locations: www.Jac150study.com.

Federal Aviation Administration,
Denver Airports District Office, 26805
E 68th Ave, Suite 224, Denver, CO
80249, 303-342-1254
Jackson Hole Airport, 1250 E Airport
Rd, Jackson, WY 83001, 307-733-
5454

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT**.

Issued in Renton, Washington, on March 23, 2018.

Randall S. Fiertz,

Director, Airports Division, Northwest Mountain Region.

[FR Doc. 2018-06407 Filed 4-4-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Protection of Voluntarily Submitted Information

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection.

DATES: Written comments should be submitted by June 4, 2018.

ADDRESSES: Send comments to the FAA at the following address: Barbara Hall, Federal Aviation Administration, ASP-110, 10101 Hillwood Parkway, Fort Worth, TX 76177.

FOR FURTHER INFORMATION CONTACT: Barbara Hall by email at:

Barbara.L.Hall@faa.gov; phone: 940-594-5913.

SUPPLEMENTARY INFORMATION: To encourage people to voluntarily submit desired information, § 40123 was added to Title 49, United States Code, in the Federal Aviation Reauthorization Act of 1996. Section 40123 allows the Administrator, through FAA regulations, to protect from disclosure voluntarily provided information relating to safety and security issues. This rule imposes a negligible paperwork burden for certificate holders and fractional ownership programs that choose to submit a letter notifying the Administrator that they wish to participate in a current program.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

OMB Control Number: 2120-0646.

Title: Protection of Voluntarily Submitted Information.

Form Numbers: There are no forms associated with this collection.

Type of Review: This is a renewal of an information collection.

Background: Part 193 of the FAA regulations provides that certain information submitted to the FAA on a voluntary basis is not to be disclosed. Part 193 implements a statutory provision. Section 40123 was added to Title 49, United States Code, in the Federal Aviation Reauthorization Act of 1996 to encourage people to voluntarily submit desired information. Section 40123 allows the Administrator, through FAA regulations, to protect from disclosure voluntarily provided information relating to safety and security issues.

The purpose of part 193 is to encourage the aviation community to voluntarily share information with the FAA so that the agency may work cooperatively with industry to identify modifications to rules, policies, and procedures needed to improve safety, security, and efficiency of the National Airspace System. FAA programs that are covered under part 193 are Voluntary Safety Reporting Programs, Air Traffic and Technical Operations Safety Action programs, the Flight Operational

Quality Assurance program, the Aviation Safety Action Program, and the Voluntary Disclosure Reporting Program. This rule imposes a negligible paperwork burden for certificate holders and fractional ownership programs that choose to submit a letter notifying the Administrator that they wish to participate in a current program.

The number of respondents has greatly increased since the initial approval of this information collection. In order to accurately reflect the burden of this information collection going forward, the FAA has included total current participants in the programs.

Respondents: 930.

Frequency: On occasion.

Estimated Average Burden per

Response: One hour.

Estimated Total Annual Burden: 930 hours.

Issued in Washington, DC, on March 22, 2018.

Barbara L. Hall,

FAA Information Collection Clearance Officer, Performance, Policy, and Records Management Branch, ASP-110.

[FR Doc. 2018-06405 Filed 4-4-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Noise Exposure Map Notice; Shreveport Regional Airport; Shreveport, Louisiana

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by the Shreveport Airport Authority for Shreveport Regional Airport are in compliance with applicable requirements.

DATES: *Effective Date:* The effective date of the FAA's determination on the noise exposure maps is March 23, 2018.

FOR FURTHER INFORMATION CONTACT: DOT/FAA Southwest Region, Tim Tandy, Environmental Protection Specialist, ASW-640D, 10101 Hillwood Parkway, Fort Worth, Texas 76177. Telephone (817) 222-5644.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for Shreveport Regional Airport are in compliance with applicable requirements of Part 150, effective March 23, 2018. Under 49 U.S.C. 47503 of the Aviation Safety and Noise Abatement Act (hereinafter referred to

as "the Act"), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict non-compatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport. An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) Part 150, promulgated pursuant to the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes to take to reduce existing non-compatible uses and prevent the introduction of additional non-compatible uses. The FAA has completed its review of the noise exposure maps and accompanying documentation submitted by Shreveport Airport Authority. The documentation that constitutes the "noise exposure maps" as defined in section 150.7 of Part 150 includes:

Chapters 2 and 3 of "14 CFR Pat 150 Noise Exposure Maps, October 2015"; Exhibit 1 (2014 Noise Exposure Map), Exhibit 2 (2020 Noise Exposure Map), Exhibit 2-1 (Shreveport Regional Airport and Immediate Environs), Exhibit 2-1 (Shreveport Regional Airport Aerial View), Exhibit 2-3 (Instrument Landing System/Localizer Approaches), Exhibit 2-4 (Area Navigation Approaches), Exhibit 3-1 (Runway 6 Arrival Flight Tracks), Exhibit 3-2 (Runway 6 Departure Flight Tracks), Exhibit 3-3 (Runway 14 Arrival Flight Tracks), Exhibit 3-4 (Runway 14 Departure Flight Tracks), Exhibit 3-5 (Runway 24 Arrival Flight Tracks), Exhibit 3-6 (Runway 24 Departure Flight Tracks), Exhibit 3-7 (Runway 32 Arrival Flight Tracks), Exhibit 3-8 (Runway 32 Departure Flight Tracks), Exhibit 3-9 (Touch and Go Flight Tracks), Exhibit 3-10 (Shreveport Regional Airport Aircraft Maintenance Runup Areas, Exhibit 3-11 (2014 Noise Exposure), Exhibit 3-12 (2020 Forecast Noise Exposure), Exhibit 3-13 (Comparison of 2004 and 2014 Noise Exposure), Exhibit 3-14 (Comparative Noise Footprints for Six Most Common Aircraft Types—2004 and 2014); Table 2-1 (Current and Recommended Optimum Runway Lengths), Table 2-2 (Summary of Historical and Forecast Passengers), Table 2-3 (Summary of Historical and Forecast Air Cargo),

Table 2-4 (Historical and Forecast Aircraft Operations), Table 2-5 (Instrument Approach Procedures at Shreveport Regional Airport), Table 3-1 (Annual Aircraft Operations by Month—2014), Table 3-2 (Annual Aircraft Operations by INM Aircraft Type, User Category—2014), Table 3-3 (Calculation of Normalization Factors for Deriving Annual Operations by Aircraft Type), Table 3-4 (Aircraft Operations by Aircraft Category, Operation Type, and Time of Day—2014), Table 3-5 (Average Annual Day Aircraft Operations by INM Aircraft Type and Time of Day, Itinerant Operations—2014), Table 3-6 (Average Annual Day Aircraft Operations by INM Aircraft Type and Time of Day, Local Operations—2014), Table 3-7 (Arrival Runway Use Percentages—2014), Table 3-8 (Departure Runway Use Percentages—2014), Table 3-9 (Touch and Go Runway Use Percentages—2014), Table 3-10 (INM Departure Stage Lengths Categories), Table 3-11 (Aircraft Flight Profile Stage Length Percentages by INM Aircraft Type), Table 3-12 (Engine Maintenance Runup Data Used for Noise Modeling—2014), Table 3-13 (Annual Operations Summary—2020), Table 3-14 (Activity Percentage by Aircraft Category, Operation Type, and Time of Day—2020), Table 3-15 (Annual Aircraft Operations by Aircraft Category, Operation Type, and Time of Day—2020), Table 3-16 (Average Annual Day Aircraft Operations by INM Aircraft Type and Time of Day, Itinerant Operations—2020), Table 3-17 (Average Annual Day Aircraft Operations by INM Aircraft Type and Time of Day, Local Operations—2020), Table 3-18 (Departure Stage Length Proportions by Aircraft Category—2020), Table 3-19 (Engine Maintenance Runup Data Used for Noise Modeling—2020). The FAA has determined that these noise exposure maps and accompanying documentation are in compliance with applicable requirements. This determination is effective on March 23, 2018.

FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in appendix A of FAR Part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program. If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a

noise exposure map submitted under section 47503 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 47506 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under Part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator that submitted those maps, or with those public agencies and planning agencies with which consultation is required under section 47503 of the Act. The FAA has relied on the certification by the airport operator, under section 150.21 of FAR Part 150, that the statutorily required consultation has been accomplished.

Copies of the full noise exposure map documentation and of the FAA's evaluation of the maps are available for examination at the following locations: Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, Texas; Henry L. Thompson, Director of Airports, Shreveport Airport Authority, 5103 Hollywood Avenue, Shreveport, LA 71109. Questions may be directed to the individual named above under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Fort Worth, Texas, March 23, 2018.

Ignacio Flores,

Director, Airports Division.

[FR Doc. 2018-06988 Filed 4-4-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Office of Commercial Space Transportation: Notice of Availability and Request for Comment on the Draft Environmental Assessment (EA) for Issuing a Reentry License to SpaceX for Landing the Dragon Spacecraft in the Gulf of Mexico

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of availability and request for comment.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), Council on Environmental Quality NEPA implementing regulations, and FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*, the FAA is announcing the availability of and requesting comment on the Draft EA for issuing a reentry license to SpaceX for Dragon landings in the Gulf of Mexico.

DATES: Comments must be received on or before May 4, 2018.

ADDRESSES: Comments should be mailed to Daniel Czelusniak, Environmental Protection Specialist, Federal Aviation Administration, 800 Independence Avenue SW, Suite 325, Washington, DC 20591. Comments may also be submitted by email to *Dragon_Gulf_Landing_EA@icf.com*.

FOR FURTHER INFORMATION CONTACT: Daniel Czelusniak, Environmental Specialist, Federal Aviation Administration, 800 Independence Avenue SW, Suite 325, Washington, DC 20591; phone (202) 267-5924; email *Dragon_Gulf_Landing_EA@icf.com*.

SUPPLEMENTARY INFORMATION: The Federal Aviation Administration (FAA), Department of Transportation (DOT) is the lead agency. The National Aeronautics and Space Administration and U.S. Air Force are cooperating agencies.

The FAA is evaluating SpaceX's proposal to conduct Dragon landings in the Gulf of Mexico, which would require the FAA to issue a reentry license. SpaceX has two versions of Dragon: Dragon-1 and Dragon-2. Dragon-1 is used for cargo missions to the International Space Station (ISS). SpaceX intends that Dragon-2 will eventually be used to transport astronauts to the ISS. Under the Proposed Action, the FAA would issue a reentry license to SpaceX, which would authorize SpaceX to conduct up to six Dragon landing operations per year in the Gulf of Mexico. Each landing operation would include orbital reentry, splashdown, and recovery.

Alternatives under consideration include the Proposed Action and the No Action Alternative. Under the No Action Alternative, the FAA would not issue a reentry license to SpaceX for Dragon reentry and splashdown in the Gulf of Mexico. SpaceX would continue to conduct Dragon reentries and splashdowns in the Pacific Ocean authorized under an FAA reentry license.

The Draft EA evaluates the potential environmental impacts from the Proposed Action and No Action Alternative on air quality; climate; noise

and noise-compatible land use; Department of Transportation Act, section 4(f); biological resources (including aquatic plants and animals and special status species); coastal resources; water resources; natural resources and energy supply; and hazardous materials, solid waste, and pollution prevention. Potential cumulative impacts are also addressed in this EA.

The FAA has posted the Draft EA on the FAA Office of Commercial Space Transportation website: https://www.faa.gov/about/office_org/headquarters_offices/ast/environmental/nepa_docs/review/launch/.

The FAA encourages all interested parties to provide comments concerning the scope and content of the Draft EA by May 4, 2018. Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask the FAA in your comment to withhold from public review your personal identifying information, the FAA cannot guarantee that we will be able to do so.

Issued in Washington, DC, on: March 26, 2018.

Daniel Murray,

Manager, Space Transportation Development Division.

[FR Doc. 2018-06408 Filed 4-4-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2018-0141]

Parts and Accessories Necessary for Safe Operation; Stoneridge, Inc. Application for an Exemption

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of application for exemption; request for comments.

SUMMARY: The Federal Motor Carrier Safety Administration (FMCSA) requests public comment on an exemption application from Stoneridge, Inc. (Stoneridge) to allow motor carriers to operate commercial motor vehicles (CMVs) with the company's MirrorEye™ Camera Monitor System (CMS) installed as an alternative to the two rear-vision mirrors required by the Federal Motor Carrier Safety Regulations (FMCSRs). Stoneridge

explained that it has developed, tested and manufactured the CMS to improve CMV safety by providing driver with an enhanced field of view around the cab of the truck. The company states that its MirrorEye™ CMS meets the performance requirements provided for conventional mirrors under the National Highway Traffic Safety Administration (NHTSA)'s standards which are cross-referenced by the FMCSRs. Stoneridge believes the exemption would maintain a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption because CMS meets or exceeds the performance requirements for traditional mirrors.

DATES: Comments must be received on or before May 7, 2018.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA–2018–0141 using any of the following methods:

- *Website:* <http://www.regulations.gov>. Follow the instructions for submitting comments on the Federal electronic docket site.

• *Fax:* 1–202–493–2251.

• *Mail:* Docket Management Facility, U.S. Department of Transportation, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.

• *Hand Delivery:* Ground Floor, Room W12–140, DOT Building, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday–Friday, except Federal holidays.

Instructions: All submissions must include the Agency name and docket number for this notice. For detailed instructions on submitting comments and additional information on the exemption process, see the “Public Participation” heading below. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the “Privacy Act” heading for further information.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or to Room W12–140, DOT Building, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records

notice (DOT/ALL–14 FDMS), which can be reviewed at www.dot.gov/privacy.

Public participation: The <http://www.regulations.gov> website is generally available 24 hours each day, 365 days each year. You may find electronic submission and retrieval help and guidelines under the “help” section of the <http://www.regulations.gov> website as well as the DOT's <http://docketsinfo.dot.gov> website. If you would like notification that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgment page that appears after submitting comments online.

FOR FURTHER INFORMATION CONTACT: Mr. Luke W. Loy, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, MC–PSV, (202) 366–0676, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.

SUPPLEMENTARY INFORMATION:

Background

Under Agency regulations, FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public with an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews the safety analyses and the public comments and determines whether granting the exemption would likely achieve a level of safety equivalent to or greater than the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)). If the Agency denies the request, it must state the reason for doing so. If the decision is to grant the exemption, the notice must specify the person or class of persons receiving the exemption and the regulatory provision or provisions from which an exemption is granted. The notice must specify the effective period of the exemption (up to 5 years) and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.315(c) and 49 CFR 381.300(b)).

Stoneridge Application for Exemption

Stoneridge has applied for an exemption from 49 CFR 393.80(a) to allow its MirrorEye™ CMS to be installed as an alternative to the two rear-vision mirrors required on CMVs. A

copy of the application is included in the docket referenced at the beginning of this notice.

Section 393.80(a) of the FMCSRs requires that each bus, truck, and truck-tractor be equipped with two rear-vision mirrors, one at each side. The mirrors must be positioned to reflect to the driver a view of the highway to the rear, and the area along both sides of the CMV. Section 393.80(a) cross-references NHTSA's standards for mirrors on motor vehicles (49 CFR 571.111, Federal Motor Vehicle Safety Standard [FMVSS] No. 111). Paragraph S7.1 of FMVSS No. 111 provides requirements for mirrors on multipurpose passenger vehicles and trucks with a gross vehicle weight rating (GVWR) greater than 4,536 kg and less than 11,340 kg and each bus, other than a school bus, with a GVWR of more than 4,536 kg. Paragraph S8.1 provides requirements for mirrors on multipurpose passenger vehicles and trucks with a GVWR of 11,340 kg or more.

The MirrorEye™ CMS consists of multiple digital cameras mounted on the exterior of the CMV and enclosed in an aerodynamic package that provides both environmental protection for the cameras and a mounting location for optimal visibility. Each camera has video processing software that presents a clear, high-definition image to the driver by means of a monitor mounted to each A-pillar of the CMV, *i.e.*, the structural member between the windshield and door of the cab. The company explains that attaching the monitors to the A-pillars avoids the creation of incremental blind spots while eliminating the blind spots associated with conventional mirrors. Stoneridge states that its CMS meets or exceeds the visibility requirements provided in FMVSS No. 111 based on several factors:

- *Greater field of view (FOV) than conventional mirrors*—Mirrors are replaced by wide angle, narrow angle and look-down cameras expanding the FOV by an estimated 25%.

- *Fail-safe design*—The CMS has independent video processing of multiple camera images so that in the unlikely event of an individual camera failure, the other camera images continue to be displayed. This ensures that real-time images are continuously displayed without interruption.

- *Augmented and enhanced vision quality*—The use of high-definition digital cameras provides for color night vision, low light sensitivity and trailer panning capabilities. This assists with night driving, operating under other low lighting conditions, and provides for glare reduction.

- *Trailer panning*—The CMS automatically tracks the end of the trailer to keep it in view while the vehicle is moving forward. Stoneridge believes this feature could eliminate collisions associated with the CMV driver making a right-hand turn, and incidents where the CMV strikes a pedestrian or bicyclist while making right hand turns.

Stoneridge also believes use of its CMS may help to reduce driver fatigue by requiring less head movement by drivers compared to the number of head movement needed to use conventional mirrors. The company claims that use of its CMS provides improved fuel economy because the housing for the system is more aerodynamic than the conventional mirrors required by § 393.80(a).

The exemption would apply to all CMV operators driving vehicles with the MirrorEye™ CMS. Stoneridge believes that mounting the system as described would maintain a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption.

Request for Comments

In accordance with 49 U.S.C. 31315 and 31136(e), FMCSA requests public comment from all interested persons on Stoneridge's application for an exemption from 49 CFR 393.80(a). All comments received before the close of business on the comment closing date indicated at the beginning of this notice will be considered and will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Issued on: March 29, 2018.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2018-06964 Filed 4-4-18; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

[Docket ID OCC-2018-0007]

Minority Depository Institutions Advisory Committee

AGENCY: Office of the Comptroller of the Currency, Department of the Treasury.

ACTION: Notice.

SUMMARY: The Office of the Comptroller of the Currency (OCC) announces a meeting of the Minority Depository Institutions Advisory Committee (MDIAC).

DATES: The OCC MDIAC will hold a public meeting on Tuesday, April 24, 2018, beginning at 8:30 a.m. Eastern Daylight Time (EDT).

ADDRESSES: The OCC will hold the April 24, 2018 meeting of the MDIAC at the Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219.

FOR FURTHER INFORMATION CONTACT: Beverly Cole, Designated Federal Officer and Deputy Comptroller for Compliance Supervision Management, (202) 649-6862, Office of the Comptroller of the Currency, Washington, DC 20219.

SUPPLEMENTARY INFORMATION: By this notice, the OCC is announcing that the MDIAC will convene a meeting at 8:30 a.m. EDT on Tuesday, April 24, 2018, at the Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. Agenda items will include current topics of interest to the industry. The purpose of the meeting is for the MDIAC to advise the OCC on steps the agency may be able to take to ensure the continued health and viability of minority depository institutions and other issues of concern to minority depository institutions. Members of the public may submit written statements to the MDIAC by any one of the following methods:

- *Email to:* MDIAC@OCC.treas.gov.
- *Mail to:* Beverly Cole, Designated Federal Officer, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219.

The OCC must receive written statements no later than 5:00 p.m. EDT on Tuesday, April 17, 2018. Members of the public who plan to attend the meeting should contact the OCC by 5:00 p.m. EDT on Tuesday, April 17, 2018, to inform the OCC of their desire to attend the meeting and to provide information that will be required to facilitate entry into the meeting. Members of the public may contact the OCC via email at MDIAC@OCC.treas.gov or by telephone at (202) 649-6862.

Attendees should provide their full name, email address, and organization, if any. For security reasons, attendees will be subject to security screening procedures and must present a valid government-issued identification to enter the building. Members of the public who are hearing impaired should call (202) 649-5597 (TTY) no later than 5:00 p.m. EDT on Tuesday, April 17, 2018, to arrange auxiliary aids such as sign language interpretation for this meeting.

Dated: March 30, 2018.

Joseph M. Otting,

Comptroller of the Currency.

[FR Doc. 2018-06962 Filed 4-4-18; 8:45 am]

BILLING CODE 4810-33-P

DEPARTMENT OF THE TREASURY

2018 Data Call Under the Terrorism Risk Insurance Program

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Data Collection.

SUMMARY: Pursuant to the Terrorism Risk Insurance Act of 2002 (TRIA),¹ as amended, insurers that participate in the Terrorism Risk Insurance Program (TRIP or Program) are directed to submit information for the 2018 TRIP Data Call for the reporting period from January 1, 2017 to December 31, 2017.

Participating insurers are directed to register and report information in a series of forms available on the TRIP website. All insurers writing commercial property and casualty insurance in lines subject to TRIP are required to respond to this data call no later than May 15, 2018, subject to certain exceptions identified in this notice.

DATES: Participating insurers must register and submit data no later than May 15, 2018.

ADDRESSES: Participating insurers will register through a website that has been established for this data call. After registration, insurers will receive data collection forms through a secure file transfer portal, and they will submit the requested data through the same secure portal. Participating insurers can register for the 2018 TRIP Data Call at <https://tripsection111data.com/>. Additional information about the data call, including sample data collection forms and instructions, can be found on

¹ Public Law 107-297, 116 Stat. 2322, codified at 15 U.S.C. 6701, note. Because the provisions of TRIA (as amended) appear in a note, instead of particular sections, of the United States Code, the provisions of TRIA are identified by the sections of the law.

the TRIP website at https://www.treasury.gov/resource-center/financial/Pages/TRIP_data.aspx.

FOR FURTHER INFORMATION CONTACT:

Richard Ifft, Senior Insurance Regulatory Policy Analyst, Federal Insurance Office, Room 1410, Department of the Treasury, 1500 Pennsylvania Avenue NW, Washington, DC 20220, at (202) 622-2922 (this is not a toll-free number), or Lindsey Baldwin, Senior Policy Analyst, Federal Insurance Office, Room 1410, Department of the Treasury, 1500 Pennsylvania Avenue NW, Washington, DC 20220, at (202) 622-3220 (this is not a toll-free number). Persons who have difficulty hearing or speaking may access these numbers via TTY by calling the toll-free Federal Relay Service at (800) 877-8339.

SUPPLEMENTARY INFORMATION:

I. Background

TRIA created the Program within the U.S. Department of the Treasury (Treasury) to address disruptions in the market for terrorism risk insurance, to help ensure the continued availability and affordability of commercial property and casualty insurance for terrorism risk, and to allow for the private markets to stabilize and build insurance capacity to absorb any future losses for terrorism events. The Program has been reauthorized on a number of occasions, most recently in the Terrorism Risk Insurance Program Reauthorization Act of 2015 (2015 Reauthorization Act).² Section 111 of the 2015 Reauthorization Act³ (Section 111) requires the Secretary of the Treasury (Secretary) to perform periodic analyses of certain matters concerning the Program. In order to assist the Secretary with this process, Section 111 requires insurers to submit on an annual basis certain insurance data and information regarding their participation in the Program.⁴ The Federal Insurance Office (FIO) is authorized to assist the Secretary in the administration of the Program,⁵ including conducting the annual data call.

On November 28, 2017, Treasury published the data collection forms that it proposed to use for the 2018 TRIP Data Call, and invited the public to provide comments concerning these forms.⁶ Treasury received twelve

comments.⁷ In response, and as discussed further below, Treasury has made a number of modifications to the forms and instructions. The Office of Management and Budget (OMB) has approved the use of these forms under Control Number 1505-0257.

II. Changes to 2018 Data Call

For purposes of the 2018 Data Call, and for the first time, FIO, state insurance regulators, and the National Association of Insurance Commissioners (NAIC) coordinated and developed a consolidated data call mechanism designed to meet the regulatory objectives of both Treasury and state insurance regulators. The approach relies upon joint reporting templates derived from prior reporting templates used by Treasury, which were subject to minor changes based upon experience gained from the 2017 data call, coordination with state insurance regulators and the NAIC, and public comments. Commenters were appreciative of the consolidated data call for 2018, which will allow insurers to satisfy most of their terrorism risk insurance reporting obligations for Treasury and state regulators through submission of the same data to each entity.

A. Reporting Process

Insurers subject to the consolidated data call will report on a group basis, unless they are not part of a group, in which case they will report on an individual company basis. Insurers with property exposures will also be required to submit to state insurance regulators, on an individual company basis, an additional supplement focusing on the property lines of insurance subject to the Program. This supplement calls for data with respect to geographic exposures by ZIP code. Questions about the submission of data to state regulators or the property supplement should be directed to the appropriate state insurance regulator or the NAIC.

For the 2018 data call, Treasury will again work with the National Council on Compensation Insurance (NCCI) and

the California Workers' Compensation Insurance Rating Bureau (California WCIRB) to provide (either directly or through other workers' compensation rating bureaus), on behalf of participating insurers, the workers' compensation insurance elements of the data call relating to premium and payroll information. The data aggregator used by Treasury will provide such insurers with reporting templates that do not require them to report this workers' compensation data. Reporting insurers that only write workers' compensation policies are still required to register for the data call, provide general company information, and provide data related to private reinsurance. The remaining data received from NCCI and/or the California WCIRB will be merged with the information provided by the insurers.

B. Reporting Templates

Commenters primarily provided specific suggestions concerning individual data elements and/or the instructions concerning those elements. In response to these comments, Treasury has revised the data collection forms and/or instructions with respect to the following: The treatment of policyholder deductibles;⁸ the aggregation of premium and exposure data, and treatment of risks that cannot be otherwise allocated to a specific geographic area (e.g., aviation, ocean marine, etc.);⁹ the treatment of deductible reimbursement policies issued by captive insurers;¹⁰ the reporting of insurance information concerning cyber risks and standalone terrorism risks;¹¹ the standardization of language across worksheets;¹² and several other minor technical changes.

One commenter urged FIO and state regulators to adopt a single reporting template for alien surplus lines insurers.¹³ For the 2018 data call, Treasury and the state regulators will accept the same data collection template for alien surplus lines insurers. However, for purposes of the Treasury data call, alien surplus lines insurers that are part of a group are required to submit their data as part of the group.

² Treasury received comments from Marsh Captive Solutions (Marsh), Lloyd's of London (Lloyd's), Aon Insurance Managers (Aon), Artex Risk Solutions (Artex), and a joint letter from the American Insurance Association, the Property Casualty Insurers Association of America, and the National Association of Mutual Insurance Companies (AIA/PCI/NAMIC). In addition, Treasury received one duplicate comment, and six comments unrelated to TRIP or the 2018 TRIP Data Call. The comments are available at <https://www.regulations.gov/docketBrowser?rpp=25&so=DESC&sb=commentDueDate&po=0&dt=PS&D=TREAS-TRIP-2017-0015>. References to these comments are incorporated below where appropriate.

⁸ See AIA/NAMIC/PCI Comments at 4-5.

⁹ See AIA/NAMIC/PCI Comments at 5; Marsh Comments at 1-2.

¹⁰ See Artex Comments at 1; Aon Comments at 1; Marsh Comments at 2.

¹¹ See Marsh Comments at 2; Lloyd's Comments at 2-3.

¹² See Lloyd's Comments at 2-3.

¹³ See Lloyd's Comments at 1. For 2017, state insurance regulators collected terrorism risk insurance data from alien surplus lines insurers through the NAIC's International Insurers Department (IID).

² Public Law 114-1, 129 Stat. 3.

³ TRIA sec. 104(h).

⁴ Treasury regulations also address the annual data collection requirement. See 31 CFR 50.51, 50.54.

⁵ 31 U.S.C. 313(c)(1)(D).

⁶ 82 FR 56328 (Nov. 28, 2017).

By contrast, for purposes of the state data call, alien surplus lines insurers will be required to submit this information on an individual company basis.

In summary, Treasury is making five changes that will affect all categories of insurers. First, all reporting templates will now include a standalone cyber insurance worksheet. Second, the reinsurance worksheet that is required for non-small insurers, alien surplus lines insurers, and captive insurers will also include a new modeled loss question.¹⁴ Third, the exposures worksheet will also request information concerning policyholder deductibles and retention amounts, in addition to the insurer exposure under policies subject to the Program. Fourth, the reporting templates no longer seek information on terrorism risk insurance premiums for years prior to the reporting period, because Treasury has already collected this information.¹⁵ Fifth, insurers are required to separately report on the Premium (Jurisdiction) and Exposure (Jurisdiction) spreadsheets any premium and exposure information that cannot be otherwise allocated to a specific jurisdiction.

There are also a number of template changes that are specific to individual insurer categories. For the 2018 data call, an insurer will qualify as a small insurer if it had both 2016 policyholder surplus and 2016 direct earned premium in TRIP-eligible lines of insurance of less than \$700 million.¹⁶ Of this group, small insurers with TRIP-eligible direct earned premium of less than \$10 million in 2017 will be exempt from the 2018 consolidated TRIP data call.¹⁷ Neither captive insurers nor alien surplus lines insurers are eligible for this reporting exemption. In addition to the changes applicable to all insurers,

¹⁴ Small insurers will complete a separate reinsurance worksheet that does not contain the modeled loss question.

¹⁵ For purposes of future reports, Treasury will use the information received during the 2017 data call, and continue to update this information over time as subsequent data calls are completed.

¹⁶ Small insurers are defined in 31 CFR 50.4(z) as insurers (or an affiliated group of insurers) whose policyholder surplus for the immediately preceding year is less than five times the Program Trigger for the current year, and whose TRIP-eligible lines direct earned premium for the previous year is also five times less than the Program Trigger. Accordingly, for the 2018 data call, an insurer qualifies as a small insurer if its 2016 policyholder surplus and 2016 direct earned premium are less than five times the 2017 Program Trigger of \$140 million.

¹⁷ Individual insurers with less than \$10 million in TRIP-eligible lines direct earned premium that are part of a larger group must still report as part of the group as a whole, if the group's TRIP-eligible lines direct earned premium is over \$10 million.

small insurers will be required to report additional information on standalone terrorism policies. Small insurers will also be required to report on the reinsurance worksheet their largest estimated probable maximum loss at a single location and the ZIP code of that location. Insurers defined as small insurers for the 2018 data call will report the same information to Treasury (on a group basis) and state insurance regulators (also on a group basis), except with respect to property coverages. For property coverages, small insurers will also provide additional reporting on an individual company basis in the property supplement submitted solely to state insurance regulators.

Non-small insurers will no longer be required to complete a separate worksheet on package/multiline policies. The non-small insurer template will be completed by insurance groups (or individual insurers not affiliated with a group) that had either a 2016 policyholder surplus or 2016 direct earned premium in TRIP-eligible lines of insurance equal to or greater than \$700 million, and that are not subject to reporting on the captive insurer or alien surplus lines insurer reporting templates. Otherwise, insurers defined as non-small insurers for the 2018 data call will report the same information to Treasury (on a group basis) and state insurance regulators (also on a group basis), except with respect to property coverages. For property coverages, non-small insurers will also provide additional reporting on an individual company basis in a property supplement submitted solely to state insurance regulators.¹⁸

Captive insurers will no longer be required to complete a separate worksheet for workers' compensation deductible policies, as this information will now be collected on the general premium worksheet. Captive insurers are defined in 31 CFR 50.4(g) as insurers licensed under the captive insurance laws or regulations of any state. Captive insurers that wrote policies in TRIP-eligible lines of insurance during the reporting period are required to register and submit data to Treasury, unless they did not provide their insureds with any terrorism risk insurance subject to the Program.

The reporting template for alien surplus lines insurers does not contain additional changes specific to those insurers. Alien surplus lines insurers are defined in 31 CFR 50.4(o)(1)(i)(B) as

¹⁸ For more information about the property supplement, visit the NAIC's Terrorism Risk Insurance Data Call web page, http://www.naic.org/industry_terrorism_risk_data_call.htm.

insurers not licensed or admitted to engage in the business of providing primary or excess insurance in any state, but that are eligible surplus line insurers listed on the NAIC Quarterly Listing of Alien Insurers. Alien surplus lines insurers that are part of a larger group classified as a non-small insurer or a small insurer should report to Treasury as part of the group, using the appropriate template. Therefore, the alien surplus lines insurer template should only be used by an alien surplus lines insurer that is not part of a larger group subject to the 2018 data call. As noted above, insurers defined as alien surplus lines insurers for the 2018 data call will continue to be required to submit data to state insurance regulators on an individual basis, even if part of a larger group.¹⁹

C. Modeled Loss Scenario

One commenter appreciated the inclusion of a new modeled loss scenario, and encouraged FIO to consider a scenario in the future that involves locations that are not located in urban areas, but nonetheless benefit from TRIA (e.g., rural infrastructure hubs and transportation networks).²⁰ FIO will continue to vary the modeled scenario on an annual basis, and FIO will coordinate with stakeholders to obtain feedback on potential scenarios before they are used in any future data calls.

D. Supplemental Reference Documents

Several commenters also requested that Treasury issue certain supplemental materials to assist in the data submission process, such as the inclusion of a comprehensive list of ZIP codes that define the areas identified on the Geographic Exposures (Nationwide) worksheet²¹ and hypothetical policy scenarios to assist insurers in understanding how to enter data in certain situations where the relevant policy spans multiple calendar years. In response to these comments, Treasury will post reference documents on its data collection website (https://www.treasury.gov/resource-center/fin-mkts/Pages/TRIP_data.aspx) providing a complete ZIP code listing for areas subject to reporting on the Geographic Exposures (Nationwide) worksheet, as well as several hypothetical policy reporting scenarios.

¹⁹ For more information about the NAIC's Terrorism Risk Insurance Data Call web page http://www.naic.org/industry_terrorism_risk_data_call.htm.

²⁰ See AIA/NAMIC/PCI Comments at 6.

²¹ See AIA/NAMIC/PCI Comments at 4; Marsh Comments at 2.

One commenter asked Treasury to consider eliminating from the data call the lines of coverage that are less likely to be triggered in the event of an act of terrorism, noting that Treasury is not obligated to collect data on all TRIP-eligible lines.²² Treasury is not making this change. Treasury notes that the types of insurance subject to the Program are set forth in the statute,²³ and in order to obtain a comprehensive understanding of the Program's effectiveness, it is necessary to collect data on all TRIP-eligible lines to achieve a complete view of Program participation. In addition, the information concerning these lines would also be relevant for assessing any risk-spreading policyholder surcharges levied by Treasury,²⁴ and in connection with the calculation of the insurance marketplace aggregate retention for calendar year 2020.²⁵

E. Training Webinar

One commenter requested that Treasury hold training for the 2018 data call within two (2) weeks following the issuance of the templates, and recommended holding four (4) separate training sessions corresponding to the four (4) reporting templates that will be used by insurers (Alien Surplus Lines Insurers, Captive Insurers, Insurer (Non-Small) Groups or Companies, and Small Insurers).²⁶ In response to this comment, Treasury will hold four webinars on April 10 and April 11, 2018 to assist reporting insurers in responding to the proposed collection, with each webinar focusing on a specific reporting template. Specific times and details concerning participation in the webinar will be made available on the TRIP data collection website, and recordings of each webinar will be made available on the website following each training session.

III. 2018 Data Call

For the 2018 TRIP Data Call, which covers the reporting period of January 1, 2017 to December 31, 2017, Treasury will continue to use four different data collection templates.²⁷ Insurers will fill out the template for "Insurer (Non-Small) Groups or Companies," unless the insurer meets the definition of a small insurer, captive insurer, or alien surplus insurer, as set forth in 31 CFR 50.4. Such small insurers, captive

insurers, and alien surplus lines insurers are required to complete an alternate template.

Similar to last year, Treasury, through an insurance statistical aggregator, will accept group or insurer registration forms through <https://tripsection111data.com/>. Upon registration, the aggregator will transmit individualized data collection forms (in Excel format) to the reporting group or insurer via a secure file transfer portal. The reporting group or insurer may transmit a complete data submission using either the provided Excel forms, or (for the first time this year) in a .csv file.²⁸

Copies of the instructions and data collection forms are available on Treasury's website in read-only format. Reporting insurers will obtain the fillable reporting forms directly from the data aggregator after registering for the data collection process.

Reporting insurers are required to register and submit complete data to Treasury no later than May 15, 2018. Because of the timing and content of Treasury's 2018 report to Congress, no extensions will be granted. Reporting insurers can ask the data aggregator questions about registration, form completion, and submission through tripsection111data@iso.com. Treasury, as identified above, may also be contacted directly with questions. Questions regarding submission of data to state insurance regulators or the property supplement should be directed to the appropriate state insurance regulator or the NAIC.

All data submitted to the aggregator is subject to the confidentiality and data protection provisions of TRIA and the Program Rules, as well as to section 552 of title 5, United States Code, including any exceptions thereunder. In accordance with the Paperwork Reduction Act, (44 U.S.C 3501 *et seq.*), the information collected through the web portal has been approved by OMB under Control Number 1505-0257. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a valid OMB control number.

Dated: March 30, 2018.

Steven E. Seitz,

Deputy Director, Federal Insurance Office.

[FR Doc. 2018-06996 Filed 4-4-18; 8:45 am]

BILLING CODE 4810-35-P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; IRS Taxpayer Burden Surveys

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on these requests.

DATES: Comments should be received on or before May 7, 2018 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at OIRA_Submission@OMB.EOP.gov and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW, Suite 8142, Washington, DC 20220, or email at PRA@treasury.gov.

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained from Jennifer Quintana by emailing PRA@treasury.gov, calling (202) 622-0489, or viewing the entire information collection request at www.reginfo.gov.

SUPPLEMENTARY INFORMATION:

Internal Revenue Service (IRS)

Title: IRS Taxpayer Burden Surveys.
OMB Control Number: 1545-2212.

Type of Review: Revision of a currently approved collection.

Abstract: The IRS is developing improved methods for measuring, estimating, and modeling taxpayer burden. The data collected from this survey of individual taxpayers will be used as an input to a micro-simulation model that estimates taxpayer burden. The IRS will also publish the relevant updated burden estimates in tax form instructions to inform taxpayers. Three types of questions will be asked: Questions framing the activities to be measured, burden measurement questions, and questions to better inform taxpayer needs related to their compliance burden.

²² See AIA/NAMIC/PCI Comments at 5-6.

²³ See TRIA sec. 102(6),(11); TRIA sec. (103)(a)(3).

²⁴ See TRIA sec. 103(e)(8)(A)(i).

²⁵ See 31 CFR 50.4(m).

²⁶ See Marsh Comments at 1.

²⁷ See 31 CFR 50.51(c).

²⁸ Specifications for submission of data using a .csv file will be provided to the insurer by the aggregator.

The information collected via the IRS Burden Surveys will be used by IRS to support or achieve several important goals:

1. Fulfill its mission to provide top quality service to taxpayers
2. Better understand taxpayer time and out-of-pocket burden
3. Improve the accuracy and comparability of the information collection budget estimates it provides under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*)
4. Provide data to be used in micro-simulation models to allow estimation of the impact of proposed legislation on taxpayer burden before the legislation is enacted
5. Support ongoing analysis of the role of compliance costs in influencing taxpayer behavior and identifying taxpayer needs
6. Provide information to the Executives and Operating Divisions for assessing the impact of programs on taxpayer burden
7. Support tax analysis in the Treasury Department Offices
8. Assist the IRS in evaluating the effectiveness and associated impact on taxpayer costs and behavior of the following IRS initiatives: Return preparer e-file initiative, Return preparer regulation initiative, and Tax package mailing cost reduction initiative

Forms: 2018 Business Taxpayer Burden Survey.

Affected Public: Individuals or Households.

Estimated Total Annual Burden Hours: 17,550.

Authority: 44 U.S.C. 3501 *et seq.*

Dated: April 2, 2018.

Jennifer P. Quintana,

Treasury PRA Clearance Officer.

[FR Doc. 2018-06972 Filed 4-4-18; 8:45 am]

BILLING CODE 4830-01-P

U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

Notice of Open Public Hearing

AGENCY: U.S.-China Economic and Security Review Commission.

ACTION: Notice of open public hearing.

SUMMARY: Notice is hereby given of the following hearing of the U.S.-China Economic and Security Review Commission.

The Commission is mandated by Congress to investigate, assess, and report to Congress annually on “the

national security implications of the economic relationship between the United States and the People’s Republic of China.” Pursuant to this mandate, the Commission will hold a public hearing in Washington, DC on April 26, 2018 on “China’s Agricultural Policies: Trade, Investment, Safety, and Innovation.”

DATES: The hearing is scheduled for Thursday, April 26, 2018 from 9:00 a.m. to 1:20 p.m.

ADDRESSES: TBD, Washington, DC. A detailed agenda for the hearing will be posted on the Commission’s website at www.uscc.gov. Also, please check the Commission’s website for possible changes to the hearing schedule. *Reservations are not required to attend the hearing.*

FOR FURTHER INFORMATION CONTACT: Any member of the public seeking further information concerning the hearing should contact Leslie Tisdale, 444 North Capitol Street NW, Suite 602, Washington DC 20001; telephone: 202-624-1496, or via email at ltisdale@uscc.gov. *Reservations are not required to attend the hearing.*

SUPPLEMENTARY INFORMATION:

Background: This is the fifth public hearing the Commission will hold during its 2018 report cycle. This hearing will investigate China’s food policies and how they affect the United States. It will examine China’s food security and agricultural trade policy, China’s investment in food resources abroad, the impact of China’s biotechnology policies on U.S. firms and farmers, and export opportunities for U.S. food and agricultural firms in China. It will also probe food safety challenges in China and how the United States should respond to food safety and market conditions in China. The hearing will be co-chaired by Chairman Robin Cleveland and Senator Carte Goodwin. Any interested party may file a written statement by April 26, 2018, by mailing to the contact above. A portion of each panel will include a question and answer period between the Commissioners and the witnesses.

Authority: Congress created the U.S.-China Economic and Security Review Commission in 2000 in the National Defense Authorization Act (Pub. L. 106-398), as amended by Division P of the Consolidated Appropriations Resolution, 2003 (Pub. L. 108-7), as amended by Public Law 109-108 (November 22, 2005), as amended by Public Law 113-291 (December 19, 2014).

Dated: April 2, 2018.

Kathleen Wilson,

Finance and Operations Director, U.S.-China Economic and Security Review Commission.

[FR Doc. 2018-06974 Filed 4-4-18; 8:45 am]

BILLING CODE 1137-00-P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Women Veterans, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice that the Advisory Committee on Women Veterans will meet on May 8–10, 2018, at VA Central Office, 810 Vermont Avenue NW, Conference Room 930, Washington, DC 20420. The meeting will be held from 8:30 a.m. to 12:15 p.m. on Tuesday, May 8 and Wednesday, May 9. On Thursday, May 10, the meeting will be held from 8:30 a.m. to 4:00 p.m. The meeting is open to the public.

The purpose of the Committee is to advise the Secretary of Veterans Affairs regarding the needs of women Veterans with respect to health care, rehabilitation, compensation, outreach, and other programs and activities administered by VA designed to meet such needs. The Committee makes recommendations to the Secretary regarding such programs and activities.

The agenda will include updates from the Veterans Health Administration, the Veterans Benefits Administration, National Cemetery Administration, and Staff Offices, as well as updates on recommendations from the 2016 Report of the Advisory Committee on Women Veterans.

No time will be allocated at this meeting for receiving oral presentations from the public. Interested parties should provide written comments for review by the Committee to Ms. Shannon L. Middleton, VA Center for Women Veterans (00W), 810 Vermont Avenue NW, Washington, DC 20420, or email at 00W@mail.va.gov, or fax to (202) 273-7092. Because the meeting is being held in a government building, a photo I.D. must be presented at the Guard’s Desk as a part of the screening process. Due to an increase in security protocols, you should allow an additional 30 minutes before the meeting begins. Any member of the public who wishes to attend the meeting or wants additional information should contact Ms. Middleton at (202) 461-6193.

Dated: April 2, 2018.

Jelessa M. Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2018-06994 Filed 4-4-18; 8:45 am]

BILLING CODE P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Minority Veterans; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice that the Advisory Committee on Minority Veterans will be held in Saint Louis, Missouri from April 17-19, 2018, at the below times and locations:

On April 17, from 8:45 a.m. to 4:30 p.m., at the New Mexico VA Health Care System—John Cochran Division, Bldg. 2, Education Wing, Room 141 & 142, 915 North Grand Blvd., St. Louis, Missouri.

On April 18, from 9:00 a.m. to 11:00 a.m., at the Jefferson National Cemetery, 2900 Sheridan Road, Saint Louis, MO; from 4:30 p.m. to 6:30 p.m., conducting a Town Hall Meeting at the Harris-Stowe State University (HSSU) William L. Clay Sr. Early Childhood Center's Professional Development Auditorium—Room 204, 3026 Laclede Ave., Saint Louis, MO.

On April 19, from 8:30 a.m. to 4:45 p.m., at the VA St. Louis Health Care System—John Cochran Division, Bldg. 2, Education Wing, Room 141 & 142, 915 North Grand Blvd., Saint Louis, MO.

The purpose of the Committee is to advise the Secretary on the administration of VA benefits and services to minority Veterans, to assess the needs of minority Veterans and to evaluate whether VA compensation and pension, medical and rehabilitation

services, memorial services outreach, and other programs are meeting those needs.

The Committee will make recommendations to the Secretary regarding such activities subsequent to the meeting.

On the morning of April 17 from 8:45 a.m. to 11:00 a.m., the Committee will meet in open session with key staff at the VA Saint Louis Health Care System—John Cochran Division to discuss services, benefits, delivery challenges, and successes. From 11:00 a.m. to 12:00 p.m., the Committee will convene a closed session in order to protect patient privacy as the Committee tours the VA Health Care System. In the afternoon from 1:45 p.m. to 3:30 p.m., the Committee will reconvene as the Committee is briefed by senior Veterans Benefits Administration staff from the Saint Louis Regional Benefit Office. From 3:30 p.m. to 4:30 p.m., the Committee will conduct an after action review of the site visit.

On the morning of April 18 from 9:00 a.m. to 11:30 a.m., the Committee will convene in open session at the Jefferson Barracks National Cemetery followed by a tour of the cemetery. The Committee will meet with key staff to discuss services, benefits, delivery challenges and successes. In the evening, the Committee will hold a Veterans Town Hall meeting beginning at 4:30 p.m., at the Harris-Stowe State University (HSSU) William L. Clay Sr. Early Childhood Center in the Professional Development Auditorium—Room 204.

On the morning of April 19 from 8:30 a.m. to 12:00 p.m., the Committee will convene in open session at the VA Saint Louis Health Care System—John Cochran Division to conduct an exit briefing with leadership from the VA Saint Louis Health Care System, Saint Louis Regional Benefit Office, and

Jefferson Barracks National Cemetery. In the afternoon from 1:00 p.m. to 4:00 p.m., the Committee will work on drafting recommendations for the annual report to the Secretary.

Sessions are open to the public, except when the Committee is conducting tours of VA facilities, participating in off-site events, and participating in workgroup sessions. Tours of VA facilities are closed, to protect from disclosure Veterans' information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Time will be allocated for receiving public comments on April 19, at 10 a.m. Public comments will be limited to three minutes each. Individuals wishing to make oral statements before the Committee will be accommodated on a first-come first serve basis. Individuals who speak are invited to submit a 1-2 page summaries of their comments at the time of the meeting for inclusion in the official record. The Committee will accept written comments from interested parties on issues outlined in the meeting agenda, as well as other issues affecting minority Veterans. Such comments should be sent to Ms. Juanita Mullen, Advisory Committee on Minority Veterans, Center for Minority Veterans (00M), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, or email at Juanita.Mullen@va.gov. For additional information about the meeting, please contact Ms. Juanita Mullen at (202) 461-6199.

Dated: April 2, 2018.

Jelessa M. Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2018-06942 Filed 4-4-18; 8:45 am]

BILLING CODE P



FEDERAL REGISTER

Vol. 83

Thursday,

No. 66

April 5, 2018

Part II

The President

Proclamation 9719—World Autism Awareness Day, 2018

Presidential Documents

Title 3—

Proclamation 9719 of April 2, 2018**The President****World Autism Awareness Day, 2018****By the President of the United States of America****A Proclamation**

World Autism Awareness Day is an opportunity to recognize and support all children and adults with autism spectrum disorder (ASD). Today, millions of adults and an estimated 1 out of every 68 children in the United States have been diagnosed with some form of ASD. Notwithstanding these diagnoses, Americans with ASD make exceptional contributions across our Nation and around the world. On this day, we honor their accomplishments and recommit to ensuring that they enjoy the same opportunities to fulfill their potential that all Americans deserve.

To maximize the quality of life across the entire autism spectrum, we must ensure that ASD is accurately identified and diagnosed in both children and adults. We must also support access to effective care, critical resources, and support services. To further these important goals, I was pleased to sign into law the Recognize, Assist, Include, Support, and Engage (RAISE) Family Caregivers Act, which will provide a national framework to support families as they care for loved ones with ASD and other similar conditions.

My Administration also continues to focus on young adults with ASD. The Department of Health and Human Services, in accordance with the Autism CARES Act of 2014 and in coordination with other executive departments and agencies, has released a report that details services available for young people with ASD as they leave secondary education to help them transition to adulthood. In addition, the Department's Interagency Autism Coordinating Committee ensures robust engagement with people with ASD and their families to help inform policies and priorities. My Administration remains focused on this critical work and committed to advancing initiatives that improve the lives of those living with ASD.

On World Autism Awareness Day, let us renew our commitment to support the entire international ASD community, including children and adults with ASD, their families, and caregivers. Together, we can increase access to information, encourage heightened understanding of ASD, promote respect and dignity, and support the services that assist people with ASD to reach their full potential.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2, 2018, World Autism Awareness Day. I encourage all Americans to learn more about autism, and find ways to support people with autism and their families and caregivers.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of April, in the year of our Lord two thousand eighteen, and of the Independence of the United States of America the two hundred and forty-second.

A handwritten signature in black ink, appearing to be "Donald Trump", written in a cursive style.



FEDERAL REGISTER

Vol. 83

Thursday,

No. 66

April 5, 2018

Part III

The President

Notice of April 4, 2018—Continuation of the National Emergency With Respect to Somalia

Presidential Documents

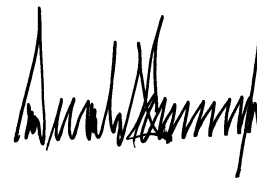
Title 3—**Notice of April 4, 2018****The President****Continuation of the National Emergency With Respect to Somalia**

On April 12, 2010, by Executive Order 13536, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the deterioration of the security situation and the persistence of violence in Somalia, acts of piracy and armed robbery at sea off the coast of Somalia—which have repeatedly been the subject of United Nations Security Council resolutions—and violations of the arms embargo imposed by the United Nations Security Council.

On July 20, 2012, the President issued Executive Order 13620 to take additional steps to deal with the national emergency declared in Executive Order 13536 in view of United Nations Security Council Resolution 2036 of February 22, 2012, and Resolution 2002 of July 29, 2011, and to address: exports of charcoal from Somalia, which generate significant revenue for al-Shabaab; the misappropriation of Somali public assets; and certain acts of violence committed against civilians in Somalia—all of which contribute to the deterioration of the security situation and the persistence of violence in Somalia.

The situation with respect to Somalia continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, the national emergency declared on April 12, 2010, and the measures adopted on that date and on July 20, 2012, to deal with that emergency, must continue in effect beyond April 12, 2018. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13536.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

A handwritten signature in black ink, appearing to be the name of Donald Trump, written in a cursive style.

THE WHITE HOUSE,
April 4, 2018.

[FR Doc. 2018-07177
Filed 4-4-18; 12:00 pm]
Billing code 3295-F8-P

Reader Aids

Federal Register

Vol. 83, No. 66

Thursday, April 5, 2018

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CFR Checklist. Effective January 1, 2009, the CFR Checklist no longer appears in the Federal Register. This information can be found online at <http://bookstore.gpo.gov/>.

FEDERAL REGISTER PAGES AND DATE, APRIL

13817-14172.....	2
14173-14346.....	3
14347-14564.....	4
14565-14732.....	5

CFR PARTS AFFECTED DURING APRIL

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected –by documents published since the revision date of each title.

3 CFR	965.....	14205
	966.....	14205
	967.....	14205
	968.....	14205
	969.....	14205
	970.....	14205
	971.....	14205
	972.....	14205
	973.....	14205
	974.....	14205
	975.....	14205
	976.....	14205
	977.....	14205
	978.....	14205
	979.....	14205
	980.....	14205
	981.....	14205
	982.....	14205
	983.....	14205
	984.....	14205
	985.....	14205
	986.....	14205
	987.....	14205
	988.....	14205
	989.....	14205
	990.....	14205
	991.....	14205
	992.....	14205
	993.....	14205
	994.....	14205
	995.....	14205
	996.....	14205
	997.....	14205
	998.....	14205
	999.....	14205
	Ch. XII.....	14605
4 CFR		
	21.....	13817
6 CFR		
	27.....	13826
7 CFR		
	205.....	14347
	215.....	14173
	227.....	14173
	246.....	14173
	247.....	14173
	248.....	14173
	249.....	14173
	272.....	14173
	277.....	14173
	905.....	14348
	929.....	14350
	966.....	14357
Proposed Rules:		
	905.....	14203
	932.....	14379
	1051.....	14110
8 CFR		
	270.....	13826
	274a.....	13826
	280.....	13826
12 CFR		
	326.....	13839
	327.....	14565
	343.....	13843
	390.....	13843
	391.....	13839
Proposed Rules:		
	325.....	13880
	900.....	14205
	906.....	14205
	956.....	14205
	957.....	14205
	958.....	14205
	959.....	14205
	960.....	14205
	961.....	14205
	962.....	14205
	963.....	14205
	964.....	14205
14 CFR		
	25.....	14360
	39.....	14568
	71.....	14574, 14576, 14580
	73.....	14174
Proposed Rules:		
	39.....	13883, 13885, 14207, 14606
	71.....	14608, 14610
15 CFR		
	738.....	13849
	740.....	13849
	745.....	13849
	774.....	13849, 14580
16 CFR		
	305.....	14583
Proposed Rules:		
	312.....	14611
19 CFR		
	4.....	13826
20 CFR		
	404.....	13862

21 CFR	117 .....13865, 13866, 13867, 14365, 14367	Proposed Rules:	5.....13888
510.....14584	165.....14367, 14589	52.....14386, 14389	15.....13888
520.....14584	Proposed Rules:	62.....14232	73.....13903
522.....14584	100.....14219, 14381	42 CFR	101.....13888
526.....14584	165.....14226, 14384	Proposed Rules:	
558.....14584	38 CFR	100.....14391	49 CFR
890.....13863	Proposed Rules:	44 CFR	1503.....13826
900.....13863	1.....14613	64.....14376	Proposed Rules:
1020.....13863	39 CFR	45 CFR	578.....13904
1040.....13863	111.....14369	5b.....14183	50 CFR
26 CFR	40 CFR	47 CFR	17.....14189, 14198
1.....14175	52 .....13867, 13869, 13871, 13872, 13875, 14175, 14179, 14373, 14591	51.....14185	622.....14202
32 CFR	62.....13878	54.....14185	679.....14603
182.....14588	81.....14373, 14597	69.....14185	Proposed Rules:
185.....14589	770.....14375	Proposed Rules:	17.....13919
33 CFR		1.....13888, 14395	622.....14234, 14400
27.....13826		2.....13888	648.....14236
100.....14364			

LIST OF PUBLIC LAWS

This is a continuing list of public bills from the current session of Congress which have become Federal laws. This list is also available online at <http://www.archives.gov/federal-register/laws>.

The text of laws is not published in the **Federal Register** but may be ordered in "slip law" (individual pamphlet) form from the Superintendent of Documents,

U.S. Government Publishing Office, Washington, DC 20402 (phone, 202-512-1808). The text will also be made available on the Internet from GPO's Federal Digital System (FDsys) at <http://www.gpo.gov/fdsys>. Some laws may not yet be available.

H.R. 3731/P.L. 115-160

Secret Service Recruitment and Retention Act of 2018 (Apr. 3, 2018; 132 Stat. 1246)

S. 2030/P.L. 115-161

Ceiling Fan Energy Conservation Harmonization Act (Apr. 3, 2018; 132 Stat. 1249)

S. 2040/P.L. 115-162

To designate the facility of the United States Postal Service located at 621 Kansas Avenue in Atchison, Kansas, as the "Amelia Earhart Post Office Building". (Apr. 3, 2018; 132 Stat. 1250)

Last List March 29, 2018

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