

fishermen, strikes (*i.e.*, when the fish pulls on the hook and line) may be detected within minutes of a catch on the line; as a result, all catches can be attended to quickly, with catch brought on board the vessel in good condition. To date, DSBG has had two interactions with protected species. In both instances, the interaction was with a Northern elephant seal, and in both instances the animal was not seriously injured and was released alive. This species is protected by the Marine Mammal Protection Act, but it is not listed as threatened or endangered under the Endangered Species Act.

DSLBG research fishing trials have been conducted with a total of 40 sets in 2015–2017 and produced similar results to DSBG. Swordfish and other marketable fish species have represented about 90% of the catch (68% swordfish, 2% opah, 5% escolar, and 16% marketable sharks). Non-marketable fish species were released alive due to quick DSLBG strike detection and active gear tending, which

has a similar time frame as with DSBG. Research fishing trials are still ongoing with DSLBG. To date, there have been no interactions with protected species using DSLBG.

At the November 2017 and March 2018 Pacific Fishery Management Council (PFMC) meetings, the PFMC reviewed 15 applications for EFPs. Based, in part, upon recommendations by the PFMC’s HMS Management Team, the PFMC recommended that NMFS consider issuing EFP’s to authorize use of DSBG and/or DSLBG to 13 of the applicants (see Table 1). These are also proposed to take place in the U.S. West Coast EEZ off California. These recommendations can be found on the PFMC’s website at <https://www.pcouncil.org/wp-content/uploads/2017/11/1117decisions.pdf> and https://www.pcouncil.org/wp-content/uploads/2018/03/0318_Decision_Summary_Document.pdf

In addition, in February 2018 the Regional Administrator for the NMFS West Coast Region directly received an

EFP application pursuant to 50 CFR 600.745 from Mr. John Hall for one vessel to fish with DSSL in the U.S. EEZ off the West Coast, not less than 20 nautical miles offshore from the U.S.-Mexican border to the Oregon-Washington border. Mr. Hall proposes to use deep set pelagic longline gear with a main line of five nautical miles in length and not less than 15 hooks per buoy and to target HMS. Mr. Hall also intends to employ a number of marine mammal, sea bird, sea turtle, and shark mitigation measures (*e.g.*, use of large, weak circle hooks, a hydraulic line shooter, a Tori bird scaring line, fusiform fish bait, and no wires in the construction of the branch lines). The proposed and existing HMS EFPs applications, conditions, and relevant analyses and decisions leading to the current status of each application can be found on NMFS West Coast Region’s “Status of Exempted Fishing Permits” web page (http://www.westcoast.fisheries.noaa.gov/fisheries/migratory_species/status_exempted_permits.html).

TABLE 1—U.S. WEST COAST HMS EFP APPLICATIONS FOR DSBG, DSLBG, AND DSSL

| Applicant(s) | Date of PFMC recommendation | DSBG | DSBG | DSSL | Number of vessels |
|--|-----------------------------|-------|-------|-------|-------------------|
| Carson, Thomas and Perez, Nathan | March 2018 | X | X | ..... | 1 |
| Breneman, Robert | March 2018 | X | ..... | ..... | 1 |
| Breneman, Scott | March 2018 | X | ..... | ..... | 1 |
| Dagama, John | March 2018 | X | ..... | ..... | 1 |
| Fuller, Daniel and Fuller, William | March 2018 | X | ..... | ..... | 1 |
| Funderberg, Clint | March 2018 | X | X | ..... | 1 |
| Hall, John | N/A ..... | ..... | ..... | X | 1 |
| Hyman, Ben | March 2018 | X | ..... | ..... | 1 |
| Scarbrough, Tyler | March 2018 | X | ..... | ..... | 1 |
| Surgener, Greg | March 2018 | X | ..... | ..... | 1 |
| Sutton, William | March 2018 | X | X | ..... | 1 |
| White, Matt | March 2018 | X | ..... | ..... | 1 |
| Wright, Thomas | March 2018 | X | ..... | ..... | 1 |
| Mintz, Stephen | November 2017 | X | X | ..... | 1 |

NMFS is requesting public comment on the 13 DSBG/DSLBG applications recommended for consideration by the PFMC and the one DSSL application received directly from the applicant pursuant to 50 CFR 600.745. If all applications are approved, the EFPs would allow up to 13 vessels to fish with DSBG, up to four vessels to fish with DSLBG, and one vessel to fish with DSSL throughout the duration of each EFP, in portions of the U.S. West Coast EEZ. These vessels would be permitted to fish exempt from the prohibitions of the HMS FMP pertaining to non-authorized gear types. Aside from the exemption described above, vessels fishing under an EFP would be subject to all other regulations implemented in the HMS FMP, including measures to

protect sea turtles, marine mammals, and seabirds.

NMFS will consider all public comments submitted in response to this **Federal Register** Notice prior to issuance of any EFP. Additionally, NMFS will analyze the effects of issuing EFPs in accordance with the National Environmental Policy Act and NOAA’s Administrative Order 216–6, as well as for compliance with other applicable laws, including Section 7(a)(2) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*), which requires the agency to consider whether the proposed action is likely to jeopardize the continued existence and recovery of any endangered or threatened species or result in the destruction or adverse modification of critical habitat.

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

Dated: June 1, 2018.

Jennifer M. Wallace,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities: Notice of Intent To Renew Collection 3038–0033, Notification of Pending Legal Proceedings

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: The Commodity Futures Trading Commission (“CFTC” or “Commission”) is announcing an opportunity for public comments on the proposed extension of a collection of certain information by the agency. Under the Paperwork Reduction Act (“PRA”), Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment. This notice solicits comments on the information collection requirements in Commission regulation 1.60 concerning notification of pending legal proceedings.

DATES: Comments must be submitted on or before August 6, 2018.

ADDRESSES: You may submit comments, identified by OMB Control No. 3038–0033 by any of the following methods:

- The Agency’s website, at <http://comments.cftc.gov/>. Follow the instructions for submitting comments through the website.
- *Mail:* Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.
- *Hand Delivery/Courier:* Same as Mail above.

Please submit your comments using only one method. All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to <http://www.cftc.gov>.

FOR FURTHER INFORMATION CONTACT: Robert Schwartz, Deputy General Counsel, Office of the General Counsel, Commodity Futures Trading Commission, (202) 416–5958; email: rschwartz@cftc.gov.

SUPPLEMENTARY INFORMATION: Under the PRA, 44 U.S.C. 3501 *et seq.*, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information that they conduct or sponsor. “Collection of Information” is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. 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. To comply with this requirement, the CFTC is publishing notice of the proposed collection of information listed below.

Title: Notification of Pending Legal Proceedings Pursuant to 17 CFR 1.60 (OMB Control Number 3038–0033). This is a request for extension of a currently approved information collection.

Abstract: The rule is designed to assist the Commission in monitoring legal proceedings involving the responsibilities imposed on contract markets and their officials and futures commission merchants (FCMs) and their principals by the Commodity Exchange Act, or otherwise. This renewal updates the total requested burden based on available reported data.

With respect to the following collection of information, the CFTC invites comments on:

- Whether the proposed collection of information is necessary for the proper performance of the functions of the

Commission, including whether the information will have a practical use;

- The accuracy of the Commission’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and
- Ways to minimize the burden of 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.

You should submit only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission’s regulations.¹ The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from <http://www.cftc.gov> that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the Information Collection Request will be retained in the public comment file and will be considered as required under the Administrative Procedures Act and other applicable laws, and may be accessible under the Freedom of Information Act.

Burden Statement: The annual respondent burden for this collection during the renewal period is estimated to be as follows:

ESTIMATED ANNUAL REPORTING BURDEN

| 17 CFR section | Annual number of respondents (contract markets & FCMs) | Total annual number of responses | Hours per response | Total hours |
|----------------|--|----------------------------------|--------------------|-------------|
| 1.60 | 79 | 1 | .20 | 15.8 |

There are no capital costs or operating costs or maintenance costs associated with this collection.

Authority: 44 U.S.C. 3501 *et seq.*

Dated: May 31, 2018.

Robert Sidman,

Deputy Secretary of the Commission.

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DEPARTMENT OF EDUCATION

Applications for New Awards; Undergraduate International Studies and Foreign Language Program

AGENCY: Office of Postsecondary Education, Department of Education.

¹ 17 CFR 145.9