AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Pages 34827–35176

OFFICE OF THE FEDERAL REGISTER

The **FEDERAL REGISTER** (ISSN 0097–6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see *www.ofr.gov.*

The seal of the National Archives and Records Administration authenticates the Federal Register as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge at *www.fdsys.gov*, a service of the U.S. Government Publishing Office.

The online edition of the **Federal Register** is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6:00 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, 1 (January 2, 1994) forward. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202-512-1800 or 866-512-1800 (toll free). E-mail, *gpocusthelp.com.*

The annual subscription price for the **Federal Register** paper edition is $749 plus postage, or $808, plus postage, for a combined **Federal Register, Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is $165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register,** including postage, is based on the number of pages: $11 for an issue containing less than 200 pages; $22 for an issue containing 200 to 400 pages; and $33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for $3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: U.S. Government Publishing Office—New Orders, P.O. Box 979050, St. Louis, MO 63197-9000; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see *bookstore.gpo.gov.*

There are no restrictions on the republication of material appearing in the **Federal Register.**

How To Cite This Publication: Use the volume number and the page number. Example: 80 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Publishing Office, Washington, DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche	**202–512–1800**
Assistance with public subscriptions	**202–512–1806**
General online information	**202–512–1530; 1–888–293–6498**

Single copies/back copies:

Paper or fiche	**202–512–1800**
Assistance with public single copies	**1–866–512–1800 (Toll-Free)**

FEDERAL AGENCIES

Subscriptions:

Assistance with Federal agency subscriptions:

Email	*FRSubscriptions@nara.gov*
Phone	**202–741–6000**

Printed on recycled paper.

Contents

Federal Register

Vol. 80, No. 117

Thursday, June 18, 2015

Agriculture Department
See Animal and Plant Health Inspection Service
See Commodity Credit Corporation
See Farm Service Agency
See Forest Service
See Office of Advocacy and Outreach
See Rural Business-Cooperative Service
See Rural Housing Service
See Rural Utilities Service
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 34976–34985
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 34880–34881

Alcohol and Tobacco Tax and Trade Bureau
PROPOSED RULES
Establishment of the Loess Hills District Viticultural Area, 34857–34864
Expansion of the Willamette Valley Viticultural Area, 34864–34869

Animal and Plant Health Inspection Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Citrus Greening and Asian Citrus Psyllid; Quarantine and Interstate Movement Regulations, 34882–34883
Importation of Hass Avocados from Peru, 34881–34882

Architectural and Transportation Barriers Compliance Board

PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35078–35079

Bureau of Consumer Financial Protection
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35116–35119

Civil Rights Commission
NOTICES
Meetings; Sunshine Act, 34887

Coast Guard
RULES
Drawbridge Operations:
Chambers Creek, Steilacoom, WA, 34833–34834
NOTICES
Recreational Boating Safety Projects, Programs, and Activities Funded under the Transportation Equity Act for the 21st Century; Fiscal Year 2014, 34922–34923

Commerce Department
See International Trade Administration
See National Oceanic and Atmospheric Administration
See Patent and Trademark Office
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 34988–35006

Commodity Credit Corporation
NOTICES
Environmental Impact Statements; Availability, etc.:
Conservation Reserve Program; Record of Decision, 34883–34886

Consumer Product Safety Commission
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35122–35125

Defense Department
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35008–35013

Education Department
NOTICES
Meetings:
National Advisory Council on Indian Education, 34902

Employee Benefits Security Administration
PROPOSED RULES
Definition of Fiduciary; Conflict of Interest Rule—Retirement Investment Advice and Related Proposed Prohibited Transaction Exemptions; Hearing and Comment Period Extension, 34869–34871

Energy Department
See Energy Efficiency and Renewable Energy Office
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35012–35013
NOTICES
Requests for Nominations:
Appliance Standards and Rulemaking Federal Advisory Committee, 34902–34904

Energy Efficiency and Renewable Energy Office
PROPOSED RULES
Energy Conservation Programs:
Room Air Conditioners; Energy Conservation Standards; Request for Information, 34843–34855

Environmental Protection Agency
RULES
Air Quality State Implementation Plans; Approvals and Promulgations:
New Mexico; Transportation Conformity and Conformity of General Federal Actions, 34835–34837
PROPOSED RULES
Ocean Dumping; Proposed Modification of Final Site Designation, 34871–34874
Regulatory Agenda:
Semiannual Regulatory Agenda, 35082–35087

Export-Import Bank
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 34904–34906

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Report of Premiums Payable for Financial Institutions Only, 34904–34905

Farm Service Agency
RULES
Strategic Economic and Community Development, 34827
NOTICES
Environmental Impact Statements; Availability, etc.:
Conservation Reserve Program; Record of Decision, 34883–34886

Federal Aviation Administration
RULES
Airworthiness Directives:
Airbus Helicopters Deutschland GmbH (Previously Eurocopter Deutschland GmbH) (Airbus Helicopters), 34831–34833
The Boeing Company Airplanes, 34827–34831
PROPOSED RULES
Amendment of Class E Airspace:
El Paso, TX, 34855–34856

Federal Communications Commission
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35128–35164
NOTICES
Suspension and Commencement of Proposed Debarment Proceedings:
Federal Lifeline Universal Service Support Mechanism, 34906–34908

Federal Deposit Insurance Corporation
NOTICES
Meetings; Sunshine Act, 34908

Federal Emergency Management Agency
NOTICES
Major Disaster and Related Determinations:
Guam, 34926–34927
Major Disaster Declarations:
Oklahoma; Amendment No. 4, 34926
Oklahoma; Amendments, 34927

Federal Highway Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 34956–34957

Federal Maritime Commission
NOTICES
Agreements Filed, 34908

Federal Motor Carrier Safety Administration
RULES
Hazardous Materials Safety Permits:
North American Standard Out-of-Service Criteria, 34839–34841
NOTICES
Hours of Service of Drivers; Exemption Applications:
Specialized Carriers and Rigging Association, 34957–34959

Federal Reserve System
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35166–35168
NOTICES
Changes in Bank Control:
Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 34909

Fish and Wildlife Service
NOTICES
Applications:
Template Safe Harbor Agreement for the Columbia Basin Pygmy Rabbit Enhancement of Survival Permit, 34928–34929

Food and Drug Administration
NOTICES
Guidance:
Factors to Consider When Making Benefit-Risk Determinations for Medical Device Investigational Device Exemptions, 34909–34910
Meetings:
Non-Microbial Biomarkers of Infection for In Vitro Diagnostic Device Use; Public Workshop, 34910–34912

Forest Service
NOTICES
Meetings:
Land Between The Lakes Advisory Board, 34886–34887

General Services Administration
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35090–35091, 35108–35113

Health and Human Services Department
See Food and Drug Administration
See National Institutes of Health
See Substance Abuse and Mental Health Services Administration
RULES
Obsolete Provisions; Removal, 34838–34839
Opioid Drugs in Maintenance and Detoxification Treatment; Correction, 34837–34838
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35016–35027

Homeland Security Department
See Coast Guard
See Federal Emergency Management Agency
See Transportation Security Administration
See U.S. Customs and Border Protection
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35030–35037

Information Security Oversight Office
NOTICES
Meetings:
State, Local, Tribal, and Private Sector Policy Advisory Committee, 34936

Interior Department
See Fish and Wildlife Service
See Land Management Bureau
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35040–35042

Internal Revenue Service
PROPOSED RULES
Qualifying Income from Activities of Publicly Traded Partnerships with Respect to Minerals or Natural Resources; Correction, 34856–34857
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 34959–34963

International Trade Administration
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
Certain Passenger Vehicle and Light Truck Tires from the Peoples Republic of China, 34888–34891, 34893–34899
Investigations; Determinations, Modifications, and Rulings, etc.:
Certain Magnesia Carbon Bricks from the People's Republic of China and Mexico, 34899–34900
Preliminary Determinations of Sales at Less than Fair Value:
Melamine from the People's Republic of China, 34891–34893
Privacy Act; Systems of Records, 34887, 34891

International Trade Commission
NOTICES
Complaints:
Certain Lip Balm Products, Containers for Lip Balm, and Components Thereof, 34933–34934
Certain Toner Supply Containers and Components Thereof, 34932–34933

Joint Board for Enrollment of Actuaries
NOTICES
Meetings:
Advisory Committee on Actuarial Examinations, 34934–34935

Justice Department
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35044–35045

Labor Department
See Employee Benefits Security Administration
See Occupational Safety and Health Administration
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35048–35053
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 34935

Land Management Bureau
NOTICES
Environmental Impact Statements; Availability, etc.:
Alton Coal Tract Coal Lease by Application, 34931–34932
Public Land Orders:
Withdrawal of National Forest System Lands for the White King/Lucky Lass Mines Remediation Areas; Oregon, 34930–34931
Realty Actions:
Prolposed Sale of Public Land in Idaho County, ID, 34929–34930

National Aeronautics and Space Administration
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35094–35095, 35108–35113

National Archives and Records Administration
See Information Security Oversight Office

National Institutes of Health
NOTICES
Human Immunodeficiency Virus Organ Policy Equity Act; Transplantation of Infected Organs, 34912–34921

National Oceanic and Atmospheric Administration
RULES
Fisheries of the Northeastern United States:
Northeast Multispecies Fishery; Possession Limit Adjustments for the Common Pool Fishery, 34841–34842
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 34900
Prize Purchases, 34900

National Transportation Safety Board
PROPOSED RULES
Organization and Functions of the Board and Delegations of Authority, 34874–34878

Nuclear Regulatory Commission
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35170–35172

Occupational Safety and Health Administration
NOTICES
Meetings:
Improving Chemical Facility Safety and Security Webinar—Implementation Updates, 34936

Office of Advocacy and Outreach
NOTICES
Meetings:
Beginning Farmers and Ranchers Advisory Committee Subcommittee on Land Tenure, 34879–34880
Request for Nominations:
Advisory Committee on Beginning Farmers and Ranchers, 34879

Patent and Trademark Office
NOTICES
Requests for Nominations:
Patent and Trademark Public Advisory Committees, 34901–34902

Personnel Management Office
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Interview Survey Form, 34936–34937

Postal Regulatory Commission
NOTICES
Rate Adjustment Remand, 34937–34939

Regulatory Information Service Center
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 34970–34974

Rural Business-Cooperative Service
RULES
Strategic Economic and Community Development, 34827

Rural Housing Service
RULES
Strategic Economic and Community Development, 34827

Rural Utilities Service
RULES
Strategic Economic and Community Development, 34827

Securities and Exchange Commission
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35174–35176
NOTICES
Applications:
New York Alaska ETF Management LLC, et al., 34939–34946
Self-Regulatory Organizations; Proposed Rule Changes:
BATS Exchange, Inc., 34946–34949
NYSE MKT, LLC, 34949–34952

Small Business Administration
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35098–35105

State Department
NOTICES
Meetings:
Environmental Affairs Council, Dominican Republic-Central America-United States Free Trade Agreement, 34952–34953

Substance Abuse and Mental Health Services Administration

NOTICES
Federal Workplace Drug Testing Programs; Mandatory Guidelines:
Use of the Hair Specimen for Drug Testing; Request for Information, 34921–34922

Tennessee Valley Authority
NOTICES
Environmental Impact Statements; Availability, etc.:
Muscle Shoals Reservation Redevelopment, Colbert County, AL, 34953–34956

Transportation Department
See Federal Aviation Administration
See Federal Highway Administration
See Federal Motor Carrier Safety Administration
PROPOSED RULES
Regulatory Agenda:
Semiannual Regulatory Agenda, 35056–35076

Transportation Security Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Flight Training for Aliens and Other Designated Individuals; Security Awareness Training for Flight School Employees, 34927–34928

Treasury Department
See Alcohol and Tobacco Tax and Trade Bureau
See Internal Revenue Service
NOTICES
Privacy Act; Systems of Records, 34963–34966

U.S. Customs and Border Protection
NOTICES
Procedures to Request Assistance on Tariff Classification and Customs Valuation Treatment by Other Customs Administrations Affecting United States Exports, 34924–34926

Veterans Affairs Department
RULES
Delegations of Authority:
Office of Regulation Policy and Management, 34834–34835
NOTICES
Meetings:
Advisory Committee on Disability Compensation, 34966–34967
Genomic Medicine Program Advisory Committee; Cancellation, 34966
MyVA Advisory Committee, 34967

Separate Parts In This Issue

Part II
Regulatory Information Service Center, 34970–34974

Part III
Agriculture Department, 34976–34985

Part IV
Commerce Department, 34988–35006

Part V
Defense Department, 35008–35009

Part VI
Energy Department, 35012–35013

Part VII
Health and Human Services Department, 35016–35027

Part VIII
Homeland Security Department, 35030–35037

Part IX
Interior Department, 35040–35042

Part X
Justice Department, 35044–35045

Part XI
Labor Department, 35048–35053

Part XII
Transportation Department, 35056–35076

Part XIII
Architectural and Transportation Barriers Compliance Board, 35078–35079

Part XIV
Environmental Protection Agency, 35082–35087

Part XV
General Services Administration, 35090–35091

Part XVI
National Aeronautics and Space Administration, 35094–35095

Part XVII
Small Business Administration, 35098–35105

Part XVIII
Defense Department, 35108–35113
General Services Administration, 35108–35113
National Aeronautics and Space Administration, 35108–35113

Part XIX
Bureau of Consumer Financial Protection, 35116–35119

Part XX
Consumer Product Safety Commission, 35122–35125

Part XXI
Federal Communications Commission, 35128–35164

Part XXII
Federal Reserve System, 35166–35168

Part XXIII
Nucleaar Regulatory Commission, 35170–35172

Part XXIV
Securities and Exchange Commission, 35174–35176

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

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to http://listserv.access.gpo.gov and select Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

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.

7 CFR
1980 34827

10 CFR
Proposed Rules:
430 34843

14 CFR
39 (2 documents) 34827, 34831
Proposed Rules:
71 34855

26 CFR
Proposed Rules:
1 34856

27 CFR
Proposed Rules:
9 (2 documents) 34857, 34864

29 CFR
Proposed Rules:
2509 34869
2510 34869
2550 34869

33 CFR
117 34833

38 CFR
2 34834

40 CFR
52 34835
Proposed Rules:
228 34871

42 CFR
8 34837

45 CFR
1 34838

49 CFR
385 34839
Proposed Rules:
800 34874

50 CFR
648 34841

Rules and Regulations

Federal Register
Vol. 80, No. 117
Thursday, June 18, 2015

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. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Rural Business-Cooperative Service

Rural Housing Service

Rural Utilities Service

Farm Service Agency

7 CFR Part 1980

RIN 0575–AA94

Strategic Economic and Community Development

AGENCY: Rural Business-Cooperative Service, Rural Housing Service, Rural Utilities Service, Farm Service Agency, U.S. Department of Agriculture (USDA).

ACTION: Interim rule; delay of effective date.

SUMMARY: On May 20, 2015, USDA published an interim rule establishing a priority for projects that support the implementation of strategic economic and community development plans across multi-jurisdictional areas. This priority applies to several specific programs with the Rural Business-Cooperative Service, the Rural Housing Service, and the Rural Utilities Service. The effective date was listed as June 19, 2015 and is being delayed to July 17, 2015.

DATES: *Effective date:* The effective date of the interim rule published May 20, 2015 (80 FR 28807) is delayed from June 19, 2015, to July 17, 2015.

FOR FURTHER INFORMATION CONTACT: Farah Ahmad, Rural Business-Cooperative Service, U.S. Department of Agriculture, Stop 3254, 1400 Independence Avenue SW., Washington, DC 20250–0783, Telephone: 202–245–1169. Email: *Farah.Ahmad@wdc.usda.gov.*

SUPPLEMENTARY INFORMATION: The interim rule published in the May 20, 2015, **Federal Register** implements Section 6025 of the Agricultural Act of 2014. The Congressional Review Act (5 U.S.C. 801 *et seq.*) requires that Congress be afforded at least 60 days to review rules before they become effective. The May 20, 2015 interim rule only provided a 30 day period before the rule would become effective. Therefore, to comply with the Congressional Review Act, the effective date for the interim rule is being extended an additional 30 days to July 17, 2015.

Dated: June 15, 2015.

Lisa Mensah,

Under Secretary, Rural Development.

Dated: June 15, 2015.

Michael Scuse,

Under Secretary, Farm and Foreign Agricultural Services.

[FR Doc. 2015–15048 Filed 6–17–15; 8:45 am]

BILLING CODE 3410–XY–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0426; Directorate Identifier 2013–NM–231–AD; Amendment 39–18186; AD 2015–12–11]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain The Boeing Company Model and 777 airplanes. This AD was prompted by reports of uncommanded door closure of a large lower lobe cargo door. This AD requires inspecting for part numbers and serial numbers of the rotary actuators of the forward and aft large lower lobe cargo doors, as applicable, and corrective action if necessary. We are issuing this AD to detect and correct rotary actuators made with a material having poor actuator gear wear characteristics, which could result in failure of the rotary actuators for the forward or aft large lower lobe cargo doors and subsequent uncommanded door closure, which could possibly result in fatal injury to people on the ground.

DATES: This AD is effective July 23, 2015.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of July 23, 2015.

ADDRESSES: For Boeing service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.* For Eaton service information identified in this AD, contact Eaton Corporation, Aerospace Operations, 3 Park Plaza, Suite 1200, Irvine, CA 92614; telephone 949–253–2100; fax 949–253–2111; Internet *http://www.eaton.com.* You may view this referenced service information at the FAA, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0426.

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–2014–0426; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Docket Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Susan Monroe, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM–150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6457; fax: 425–917–6590; email: *susan.l.monroe@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain The Boeing Company Model and 777 airplanes. The NPRM published in the **Federal Register** on June 30, 2014 (79 FR 36678). The NPRM was prompted by reports of uncommanded door closure of a large lower lobe cargo door. The NPRM proposed to require inspecting for part numbers and serial numbers of the rotary actuators of the forward and aft large lower lobe cargo doors, as applicable, and corrective action if necessary. We are issuing this AD to detect and correct rotary actuators made with a material having poor actuator gear wear characteristics, which could result in failure of the rotary actuators for the forward or aft large lower lobe cargo door and subsequent uncommanded door closure, which could possibly result in injury to people on the ground.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the NPRM (79 FR 36678, June 30, 2014) and the FAA's response to each comment.

Support for Rulemaking

United Airlines stated that it concurs with the NPRM (79 FR 36678, June 30, 2014), and FedEx Express stated that it has no technical objections to incorporating the NPRM.

Request To Revise Compliance Time

United Parcel Service (UPS) requested that the compliance time for Model 767 airplanes be revised from 30 months to 72 months to match the 72-month compliance time for Model 777 airplanes. UPS stated that the same actuator part number is used on both Model 767 and Model 777 airplanes and is modified by the same Eaton service information. UPS also contended that the same level of safety can be achieved because the compliance times are ''not based on flight cycles but on flight hours,'' and Model 767 and 777 fleets have common cargo door installations and functions.

We do not agree with the commenter's request to revise the compliance time. The design of the door and the operating system of the door for the two models of airplane are different. The two models are subject to different actuator loading. In developing appropriate compliance times for this action, we considered the safety implications of each design for timely replacement of the actuators. Further, the compliance time matches Boeing's recommended compliance times. However, under the provisions of paragraph (l) of this AD, we will consider requests for approval of an extension of the compliance time if sufficient data are submitted to substantiate that the new compliance time would provide an acceptable level of safety. We have not changed the AD in this regard.

Request To Postpone Re-Identification for Already-Modified Parts

Air France requested that operators who have checked their maintenance records and know which serial numbers are on the actuators in their fleet be allowed to keep ''post-AD'' actuators installed without being required to re-identify those actuators until those actuators are removed for other reasons. Air France stated that an operator that knows exactly which serial numbers are on the rotary actuators on its fleet is aware of which units have already been modified or not.

We do not agree with the commenter's request to postpone re-identification. The task to re-identify the actuator can be done without removing the actuator from the airplane. Re-identification of the actuators, as required by this AD, will ensure that the maintenance records match the airplane configuration. Delaying this re-identification action introduces possible confusion. However, under the provisions of paragraph (l) of this AD, we will consider requests for approval of changes to the compliance time for re-identification if sufficient data are submitted to substantiate that the new compliance time would provide an acceptable level of safety. We have not changed the AD in this regard.

Request To Reference Updated Service Information With Correct Serial Numbers

Eaton and Boeing stated that some actuator serial numbers were omitted from table 1, which identifies parts that do not need to be modified, in Eaton Service Bulletin 692D100–52–4, Revision 2, dated August 1, 2013. Boeing requested that the final rule be delayed until the Boeing and Eaton service information are revised to have the correct numbers. Boeing also stated that if the final rule is not delayed pending issuance of the revised service information, unnecessary actions might be performed on actuators not subject to the unsafe condition. Eaton stated that in table 1, two digits were transposed; what is listed as ''3173B'' should be ''3137B'' (*i.e.,* ''3173B—3813B'' should be ''3137B—3813B''). Eaton stated that this error omitted serial numbers (S/Ns) 3137 through 3172, which were made with the 9310 steel. Eaton stated that they also reviewed the records for S/N 2257 and found that it was modified by Eaton to contain the 9310 steel and was re-identified as 2257B.

We agree with the commenters' request to reference updated service information. We have received the revised service information, and agree to revise this final rule to refer to the corrected service information. We have reviewed Eaton Service Bulletin 692D100–52–4, Revision 3, dated August 14, 2014, which contains a revised table 1 that corrects the transposed digits and includes the omitted serial numbers. We have also reviewed Boeing Service Bulletins 767–52A0100, Revision 3, dated January 19, 2015; and 777–52–0053, Revision 2, dated January 19, 2015; which update the reference to Eaton Service Bulletin 692D100–52–4, Revision 3, dated August 14, 2014. The revised service information would provide relief for operators that have those omitted serial numbers. We have revised paragraphs (c), (g), (h), and (i) of this AD to refer to the revised service information and have added new paragraph (j) to this AD to provide credit for previous actions done using the service information referenced in the NPRM (79 FR 36678, June 30, 2014). We have redesignated subsequent paragraphs accordingly.

Request To Grant Credit for Parts With Suffix B

Emirates Airlines requested that credit for the actuator modification be granted for all actuators having part number (P/N) 692D100–13, with serial numbers containing a suffix ''B.'' Emirates Airlines suggested that the required work for those ''suffix B'' actuators be limited to re-identification. Emirates Airlines stated that it found actuators having a suffix ''B'' installed on its Model 777 fleet, but those actuators were not listed in table 1 of Eaton Service Bulletin 692D100–52–4, Revision 2, dated August 1, 2013. Emirates Airlines referenced section 52–34–02 of the Eaton Component Maintenance Manual (CMM), and stated that the CMM states ''all serial number 2907 and above are equipped with 692D190–5 no-back brake assemblies and the serial number will carry a suffix 'B.' These units with a serial number 'B' suffix incorporate ball detent match set P/N 692C130–1.'' Emirates Airlines suggested that installation of no-back assemblies with P/N 692D190–5 during production, or repair using section 52–

34–02 of the Eaton CMM and Eaton Service Letter 692D100–13 would also address the unsafe condition.

We do not agree to grant credit for all actuators with a ''B'' suffix. The revised Eaton service bulletin (Eaton Service Bulletin 692D100–52–4, Revision 3, dated August 14, 2014) discussed previously did not include all serial numbers 2907 and above with a ''B'' suffix in table 1. We also have not received data to substantiate a change to expand the range of acceptable serial numbers. However, under the provisions of paragraph (l) of this AD, we will consider requests for approval of an alternative method of compliance if sufficient data are submitted to substantiate that the change would provide an acceptable level of safety. We have not changed this AD in this regard.

Request To Revise or Remove the Parts Installation Prohibition Paragraph

UPS requested that the wording of the Parts Installation Prohibition paragraph (paragraph (j) for the NPRM (79 FR 36678, June 30, 2014), which has been redesignated as paragraph (k) of this AD) be revised to read ''After the Terminating Date of the AD, Do NOT install a rotary actuator having Boeing part number. . .'' or that the paragraph be removed from the AD. UPS interpreted the proposed prohibition of ''As of the effective date of this AD, no rotary actuator having Boeing . . . may be installed on any airplane'' as prohibiting any of those actuators currently installed on the airplane to remain installed. UPS contended that if leaving an affected actuator on the airplane is acceptable for the duration of the AD, then installing another actuator with the same affected part number within the compliance time of the AD should be acceptable. UPS added that if paragraph (j) of the NPRM were removed or revised, then the concern about spare parts availability would be reduced.

We disagree with the request to revise paragraph (k) of this AD, but provide the following clarification of the intent of paragraph (k) of this AD. Paragraph (k) of this AD does not address parts that are already on the airplane; instead, it affects the installation of an affected replacement rotary actuator done on or after the effective date of this AD. Simply taking a part off and then installing it back on the airplane as part of gaining access for some other maintenance activity not associated with this final rule is not regarded as an installation that is affected by paragraph (k) of this AD.

In developing the technical information on which this final rule is based, we considered the availability of spare parts that this final rule will require and the compliance time, and found that sufficient parts are available. However, under the provisions of paragraph (l) of this AD, we will consider requests for approval of an extension of the compliance time if sufficient data are submitted to substantiate that the new compliance time would provide an acceptable level of safety. We have not changed this AD in this regard.

Effect of Winglets on Accomplishment of the Proposed Actions

Aviation Partners Boeing stated that the installation of winglets per supplemental type certificate (STC) ST01920SE (*http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/59027F43B9A7486E86257B1D006591EE?OpenDocument&Highlight=st01920se*) does not affect the accomplishment of the manufacturer's service instructions.

We agree with the commenter that STC ST01920SE (*http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/59027F43B9A7486E86257B1D006591EE?OpenDocument&Highlight=st01920se*) does not affect the accomplishment of the manufacturer's service instructions. Therefore, the installation of STC ST01920SE does not affect the ability to accomplish the actions required by this AD. We have not changed this AD in this regard.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this AD with the changes described previously and minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (79 FR 36678, June 30, 2014) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (79 FR 36678, June 30, 2014).

We also determined that these changes will not increase the economic burden on any operator or increase the scope of this AD.

Related Service Information Under 1 CFR Part 51

We reviewed Boeing Service Bulletins 767–52A0100, Revision 3, dated January 19, 2014; and 777–52–0053, Revision 2, dated January 19, 2015. The service information describe procedures for inspecting for part numbers and serial numbers of the rotary actuators of the forward and aft large lower lobe cargo doors, as applicable, and corrective action if necessary.

Boeing Service Bulletins 767–52A0100, Revision 3, dated January 19, 2015; and 777–52–0053, Revision 2, dated January 19, 2015; refer to Eaton Service Bulletin 692D100–52–4, Revision 3, dated August 14, 2014, which provides serial number information and procedures for doing certain corrective actions (rework of certain rotary actuators or re-identification of certain other rotary actuators).

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 of this AD.

Costs of Compliance

We estimate that this AD affects 510 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection for part number and serial number.	1 work-hour × $85 per hour = $85	None	$85	$43,350

We estimate the following costs to do any necessary re-identification or replacements that would be required based on the results of the inspection. We have no way of determining the number of aircraft that might need these re-identifications or replacements:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Re-identification	Up to 1 work-hour × $85 per hour = $85	$1	Up to $86.
Replacement	Up to 9 work-hours × $85 per hour = $765	19,700	Up to $20,465.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

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

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

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

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

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

(3) Will not affect intrastate aviation in Alaska, and

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2015–12–11 The Boeing Company: Amendment 39–18186; Docket No. FAA–2014–0426; Directorate Identifier 2013–NM–231–AD.

(a) Effective Date

This AD is effective July 23, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company airplanes identified in paragraphs (c)(1) and (c)(2) of this AD, certificated in any category.

(1) Model 767–200, –300, –300F, and –400ER series airplanes, as identified in Boeing Service Bulletin 767–52A0100, Revision 3, dated January 19, 2015.

(2) Model 777–200, –200LR, –300, –300ER, and 777F series airplanes, as identified in Boeing Service Bulletin 777–52–0053, Revision 2, dated January 19, 2015.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by reports of uncommanded door closure of a large lower lobe cargo door. We are issuing this AD to detect and correct rotary actuators made with a material having poor actuator gear wear characteristics, which could result in failure of the rotary actuators for the forward or aft large lower lobe cargo doors and subsequent uncommanded door closure, which could possibly result in fatal injury to people on the ground.

(f) Compliance

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

(g) Inspection for Part Numbers, and Re-identification or Replacement, for Model 767 Airplanes

For Model 767–200, –300, –300F, and –400ER series airplanes: Within 30 months after the effective date of this AD, inspect each rotary actuator installed in the forward and aft large lower lobe cargo doors, as applicable, to determine the part number and serial number, and do all applicable corrective actions, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 767–52A0100, Revision 3, dated January 19, 2015; and Eaton Service Bulletin 692D100–52–4, Revision 3, dated August 14, 2014. Do the applicable corrective actions at the applicable time specified in paragraph 1.E., ''Compliance,'' of Boeing Service Bulletin 767–52A0100, Revision 3, dated January 19, 2015, except as required by paragraph (i) of this AD. A review of maintenance records for the part number and serial number is acceptable in lieu of the inspection if the part and serial numbers of the rotary actuator can be conclusively determined from that review.

(h) Inspection for Part Numbers, and Re-Identification or Replacement, for Model 777 Airplanes

For Model 777–200, –200LR, –300, –300ER, and 777F series airplanes: Within 72 months after the effective date of this AD, inspect each rotary actuator installed in the forward and aft large lower lobe cargo doors, as applicable, to determine the part number and serial number, and do all applicable corrective actions, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 777–52–0053, Revision 2, dated January 19, 2015; and Eaton Service Bulletin 692D100–52–4, Revision 3, dated August 14, 2014. Do the applicable corrective actions at the applicable time specified in paragraph 1.E., ''Compliance,'' of Boeing Service Bulletin 777–52–0053, Revision 2, dated January 19, 2015, except as required by paragraph (i) of this AD. A review of maintenance records for the part number and serial number is acceptable in lieu of the inspection if the part and serial numbers of the rotary actuator can be conclusively determined from that review.

(i) Exception to the Service Information

Where Boeing Service Bulletin 767–52A0100, Revision 3, dated January 19, 2015; and Boeing Service Bulletin 777–52–0053, Revision 2, dated January 19, 2015, specify a compliance time after the issue date ''of this service bulletin,'' this AD requires compliance within the specified compliance time after the effective date of this AD.

(j) Credit for Previous Actions

(1) This paragraph provides credit for the actions required by paragraph (g) of this AD, if the actions were performed before the effective date of this AD using Boeing Service Bulletin 767–52A0100, Revision 2, dated September 26, 2013; and Eaton Service Bulletin 692D100–52–4, Revision 2, dated August 1, 2013. This service information is not incorporated by reference in this AD.

(2) This paragraph provides credit for the actions required by paragraph (h) of this AD, if the actions were performed before the

effective date of this AD using Boeing Service Bulletin 777–52–0053, Revision 1, dated September 26, 2013; and Eaton Service Bulletin 692D100–52–4, Revision 2, dated August 1, 2013. This service information is not incorporated by reference in this AD.

(k) Parts Installation Prohibition

As of the effective date of this AD, no rotary actuator having Boeing part number S135W132–3 (supplier part number 692D100–13) may be installed on any airplane.

(l) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in paragraph (m)(1) of this AD. Information may be emailed to: *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.*

(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) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(m) Related Information

(1) For more information about this AD, contact Susan Monroe, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM–150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6457; fax: 425–917–6590; email: *susan.l.monroe@faa.gov.*

(2) Service information identified in this AD that is not incorporated by reference is available at the applicable addresses specified in paragraphs (n)(3), (n)(4), and (n)(5) of this AD.

(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 the AD specifies otherwise.

(i) Boeing Service Bulletin 767–52A0100, Revision 3, dated January 19, 2015.

(ii) Boeing Service Bulletin 777–52–0053, Revision 2, dated January 19, 2015.

(iii) Eaton Service Bulletin 692D100–52–4, Revision 3, dated August 14, 2014.

(3) For Boeing service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.*

(4) For Eaton service information identified in this AD, contact Eaton Corporation, Aerospace Operations, 3 Park Plaza, Suite 1200, Irvine, CA 92614; telephone 949–253–2100; fax 949–253–2111; Internet *http://www.eaton.com.*

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

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

Issued in Renton, Washington, on June 9, 2015.

Michael Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015–14703 Filed 6–17–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0577; Directorate Identifier 2013–SW–042–AD; Amendment 39–18184; AD 2015–12–09]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Previously Eurocopter Deutschland GmbH) (Airbus Helicopters)

July 6, 2015

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for Airbus Helicopters Model EC135P1, EC135T1, EC135P2, EC135T2, EC135P2+, EC135T2+, and MBB–BK 117 C–2 helicopters. This AD requires inspecting certain washers for movement and making appropriate repairs if the washers move. This AD was prompted by play found between the Smart Electro Mechanical Actuator (SEMA) and the control rod during installation work on a helicopter. The actions of this AD are intended to prevent loss of concerned control axis and subsequent loss of control of the helicopter.

DATES: This AD is effective July 23, 2015.

The Director of the Federal Register approved the incorporation by reference of certain documents listed in this AD as of July 23, 2015.

ADDRESSES: For service information identified in this AD, contact Airbus Helicopters, Inc., 2701 N. Forum Drive, Grand Prairie, TX 75052; telephone (972) 641–0000 or (800) 232–0323; fax (972) 641–3775; or at *http://www.airbushelicopters.com/techpub.* You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* or in person at the Docket Operations Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the European Aviation Safety Agency (EASA) AD, any incorporated-by-reference service information, the economic evaluation, any comments received, and other information. The street address for the Docket Operations Office (phone: 800–647–5527) is U.S. Department of Transportation, Docket Operations Office, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Matt Wilbanks, Aviation Safety Engineer, Regulations and Policy Group, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222–5110; email *matt.wilbanks@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

On August 18, 2014, at 79 FR 48707, the **Federal Register** published our notice of proposed rulemaking (NPRM), which proposed to amend 14 CFR part 39 by adding an AD that would apply to Airbus Helicopters Model EC135P1, EC135T1, EC135P2, EC135T2, EC135P2+, EC135T2+, and MBB–BK 117 C–2 helicopters. The NPRM proposed to require inspecting certain washers for movement in the attachment hardware that connects the SEMA and the control rod of the longitudinal, lateral, and yaw actuators. If a washer can be moved, the NPRM proposed replacing the four screws, installing two additional washers, and torque-tightening the screws. The proposed requirements were intended to prevent loss of concerned control axis

and subsequent loss of control of the helicopter.

The NPRM was prompted by AD No. 2013–0176, dated August 7, 2013, issued by EASA, which is the Technical Agent for the Member States of the European Union, to correct an unsafe condition for Eurocopter Deutschland GmbH Model EC 135 P1 (CDS), EC 135 P1 (CPDS), EC 135 P2+, EC 135 P2 (CPDS), EC 135 T1 (CDS), EC 135 T1 (CPDS), EC 135 T2+, EC 135 T2 (CPDS), EC 635 P2+, EC 635 T1 (CPDS), EC 635 T2+, and MBB–BK 117 C–2 helicopters. EASA advises that during installation work on a helicopter, it was discovered that it was not possible to install attachment hardware on a threaded blind borehole between the SEMA and the control rod without play. EASA advises that this condition, if not detected and corrected, could lead to loss of the concerned control axis, possibly resulting in loss of helicopter control. For these reasons, EASA AD No. 2013–0176 requires a one-time inspection of the affected SEMA attachment hardware to detect improper connection and play and, depending on the findings, replacement of the affected hardware. After the issuance of EASA AD No. 2013–0176, Eurocopter Deutschland GmbH changed its name to Airbus Helicopters Deutschland GmbH.

Comments

After our NPRM (79 FR 48707, August 18, 2014) was published, we received comments from one commenter.

Request

Air Methods stated that the proposed AD requires compliance with Revision 1 of the service information and requested that previous compliance with the original service information, Revision 0, be included as an acceptable method of compliance in the AD.

We agree. We have added a paragraph to the AD giving credit for previous compliance with Revision 0 of the service information.

FAA's Determination

These helicopters have been approved by the aviation authority of Germany and are approved for operation in the United States. Pursuant to our bilateral agreement with Germany, EASA, its technical representative, has notified us of the unsafe condition described in the EASA AD. We are issuing this AD because we evaluated all information provided by EASA, reviewed the relevant information, considered the comment received, and determined the unsafe condition exists and is likely to exist or develop on other helicopters of these same type designs and that air safety and the public interest require adopting the AD requirements as proposed.

Differences Between This AD and the EASA AD

The EASA AD applies to Eurocopter Model EC635P2+, EC635T1 and EC635T2+ helicopters. This AD does not apply to these model helicopters because they have no FAA type certificate.

Related Service Information Under 1 CFR Part 51

Eurocopter reported in Alert Service Bulletins (ASBs) EC135–22A–015, Revision 1, dated January 28, 2013, and MBB BK117 C–2–22A–009, Revision 1, dated August 3, 2009, that it was discovered during the installation work on a helicopter that it was not possible to establish attachment hardware on a threaded blind borehole between the SEMA and the control rod without play. The ASBs state that ''unfavourable adding of the tolerances'' of the individual attachment hardware elements caused the screw to push against the bottom of the threaded blind borehole on the SEMA, preventing any clamping force on the screw head. The ASBs call for inspecting the SEMA attachment hardware connected to their respective control rods for play and making the proper adjustments to eliminate any play.

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 of this AD.

Costs of Compliance

We estimate that this AD affects 385 helicopters of U.S. Registry and that labor costs average $85 per work hour. Based on these estimates, we expect the following costs:

- Inspecting for movement of the washers requires 1.5 work hours for a labor cost of $128 per helicopter and $49,280 for the U.S. fleet.
- Replacing the screws and related work requires an additional 0.5 work-hours for a labor cost of $43. Screws cost $4 each while washers cost $10 each. We estimate the cost at $79 per repair.

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 helicopters identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

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

(1) Is not a ''significant regulatory action'' under Executive Order 12866;

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

(3) Will not affect intrastate aviation in Alaska 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 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.

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2015–12–09 Airbus Helicopters Deutschland GmbH (Previously Eurocopter Deutschland GmbH) (Airbus Helicopters): Amendment 39–18184; Docket No. FAA–2014–0577; Directorate Identifier 2013–SW–042–AD.

(a) Applicability

This AD applies to Airbus Helicopters Model EC135P1, EC135T1, EC135P2, EC135T2, EC135P2+, EC135T2+, and MBB–BK 117 C–2 helicopters, certificated in any category.

(b) Unsafe Condition

This AD defines the unsafe condition as loose attachment hardware between the Smart Electro Mechanical Actuator (SEMA) and a control rod. This condition could result in loss of the control axis and subsequent loss of control of the helicopter.

(c) Effective Date

This AD becomes effective July 23, 2015.

(d) 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.

(e) Required Actions

(1) Within 50 hours time in service (TIS), for Model EC135P1, EC135T1, EC135P2, EC135T2, EC135P2+, and EC135T2+ helicopters, do the following:

(i) Using Figure 1 and Figure 2 of Eurocopter Alert Service Bulletin EC135–22A–015, Revision 1, dated January 28, 2013 (ASB EC135–22A–015) as reference, inspect the attachment hardware between the SEMA and the longitudinal actuator control rod to determine whether any of the washers can be moved.

(A) If no washer can be moved, no further action is needed.

(B) If a washer can be moved, replace the four screws and install two additional washers, part number (P/N) EN2139–05016, to connect the SEMA with the control rod. Torque-tighten each screw to 5–6 Nm.

(ii) Using Figure 1 and Figure 2 of ASB EC135–22A–015 as reference, inspect the attachment hardware between the SEMA and the lateral actuator control rod to determine whether any of the washers can be moved.

(A) If no washer can be moved, no further action is needed.

(B) If a washer can be moved, replace the four screws and install two additional washers, P/N EN2139–05016, to connect the SEMA with the control rod. Torque-tighten each screw to 5–6 Nm.

(iii) Using Figure 1, Figure 3, and Figure 4 of ASB EC135–22A–015 as reference, inspect the attachment hardware between the SEMA and the yaw actuator control rod to determine whether any of the washers can be moved.

(A) If no washer can be moved, no further action is needed.

(B) If a washer can be moved, replace the four screws and install two additional washers, P/N EN2139–05016, to connect the SEMA with the control rod. Torque-tighten each screw to 5–6 Nm.

(2) Within 50 hours TIS, for Model MBB BK117 C–2 helicopters, using Figure 1 of Eurocopter Alert Service Bulletin MBB BK117 C–2–22A–009, Revision 1, dated August 3, 2009, as reference, inspect the attachment hardware between the Yaw-SEMA and the Yaw-SEMA control rod to determine whether any of the washers can be moved.

(i) If no washer can be moved, no further action is needed.

(ii) If a washer can be moved, replace the four screws and install two additional washers, P/N EN2139–05016, to connect the SEMA with the control rod. Torque-tighten each screw to 5–6 Nm and apply polyurethane lacquer onto the attachment hardware.

(f) Credit for Previous Actions

If you performed the actions in Eurocopter Alert Service Bulletin EC135–22A–015, Revision 0, dated May 13, 2018, or Eurocopter Alert Service Bulletin MBB BK117 C–2–22A–009, Revision 0, May 13, 2008, before the effective date of this AD, you met the requirements of this AD.

(g) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Group, FAA, may approve AMOCs for this AD. Send your proposal to: Matt Wilbanks, Aviation Safety Engineer, Regulations and Policy Group, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222–5110; email *matt.wilbanks@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

The subject of this AD is addressed in the European Aviation Safety Agency (EASA) AD No. 2013–0176, dated August 7, 2013. You may view the EASA AD on the Internet at *http://www.regulations.gov* in Docket No. FAA–2014–0577.

(i) Subject

Joint Aircraft Service Component (JASC) Code: 2213, Flight Controller.

(j) Material Incorporated by Reference

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

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

(i) Eurocopter Alert Service Bulletin EC135–22A–015, Revision 1, dated January 28, 2013.

(ii) Eurocopter Alert Service Bulletin MBB BK117 C–2–22A–009, Revision 1, dated August 3, 2009.

(3) For Airbus Helicopters service information identified in this AD, contact Airbus Helicopters, Inc., 2701 N. Forum Drive, Grand Prairie, TX 75052; telephone (972) 641–0000 or (800) 232–0323; fax (972) 641–3775; or at *http://www.airbushelicopters.com/techpub.*

(4) You may view this service information at FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. For information on the availability of this material at the FAA, call (817) 222–5110.

(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.*

Issued in Fort Worth, Texas, on June 9, 2015.

Lance T. Gant,

Acting Directorate Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2015–14852 Filed 6–17–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2015–0552]

Drawbridge Operation Regulation; Chambers Creek, Steilacoom, WA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Burlington Northern Santa Fe (BNSF) Chambers Creek Railway Bridge across Chambers Creek, mile 0.0, at Steilacoom, Washington. The deviation is necessary to minimize the effects of train noise on the 2015 U.S. Golf Association Championship held at Chambers Bay Golf Course. This deviation allows the bridge to open only upon 1 hour notice from 7 a.m. to 4 p.m. on June 14, 2015 and 7 a.m. to 5 p.m. each day from June 15, 2015 to June 22, 2015. At all other times the bridge will open on signal in accordance with its normal operating regulation.

DATES: This deviation is effective without actual notice from June 18, 2015 to 5 p.m. on June 22, 2015. For the purposes of enforcement, actual notice will be used from 7 a.m. on June 14, 2015, until June 18, 2015.

ADDRESSES: The docket for this deviation, [USCG–2015–0552] is available at *http://www.regulations.gov.*

Type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Steven Fischer, Thirteenth Coast Guard District Bridge Program Administrator; telephone 206–220–7282, *Steven.M.Fischer3@uscg.mil.* If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: The Coast Guard has been requested to issue this bridge deviation to allow BNSF to implement noise reduction operations near the Chambers Bay Golf Course during the 2015 U.S. Golf Association Championship being held there. This deviation allows the BNSF Chambers Creek Railway Bridge to open only upon 1 hour notice from 7 a.m. to 4 p.m. on June 14, 2015 and 7 a.m. to 5 p.m. each day from June 15, 2015 to June 22, 2015. At all other times the bridge will open on signal in accordance with its normal operating regulation. Doing so will minimize the number of trains required to idle while awaiting bridge openings.

The BNSF Chambers Creek Railway Bridge across Chambers Creek, mile 0.0, near Steilacoom, Washington provides 50 feet of vertical clearance in the raised position, 10 feet of vertical clearance in the closed position and 80 feet of horizontal clearance. Reference plan is mean high water elevation of 12.2 feet. The normal operation schedule falls under 33 CFR 117.5.

This deviation is effective from 7 a.m. on June 14, 2015 to 5 p.m. on June 22, 2015. The deviation allows the bridge to open only upon 1 hour notice from 7 a.m. to 4 p.m. on June 14, 2015 and 7 a.m. to 5 p.m. each day from June 15, 2015 to June 22, 2015. At all other times the bridge will open on signal in accordance with its normal operating regulation.

Vessels able to pass through the bridge in the closed positions may do so at anytime. The bridge will be able to open for emergencies and there is no immediate alternate route for vessels to pass. The Coast Guard will also inform the users of the waterway of the change in operating schedule for the bridge through Local and Broadcast Notices to Mariners so that vessels can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: June 11, 2015.

Steven M. Fischer,

Bridge Administrator, Thirteenth Coast Guard District.

[FR Doc. 2015–14882 Filed 6–17–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 2

RIN 2900–AP47

Delegations of Authority: Office of Regulation Policy and Management (ORPM)

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: The Department of Veterans Affairs is amending its regulations delegating rulemaking authority within the Office of the General Counsel. The amendments reflect current management structure and titles.

DATES: *Effective Date:* June 18, 2015.

FOR FURTHER INFORMATION CONTACT: William F. Russo, Acting Director, Office of Regulation Policy and Management, Office of the General Counsel, U.S. Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, telephone (202) 461–4902. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: In 2014, the Department of Veterans Affairs (VA) Office of the General Counsel was restructured, which included changes in the titles of certain officials involved in VA's rulemaking process. Specifically, matters previously handled by the single Deputy General Counsel are now handled by a Principal Deputy General Counsel and two Deputy General Counsels. This final rule amends 38 CFR 2.6(e)(1) to reflect current management structure and titles.

Administrative Procedure Act

This document's publication as a final rule is pursuant to 5 U.S.C. 553(b)(A), which exempts matters pertaining to agency organization, procedure and practice from notice and public comment requirements. Also, because this notice concerns only such matters, VA finds pursuant to 5 U.S.C. 553(d)(3) good cause in this case to dispense with the delayed effective date requirement.

Executive Order 12866

Under the exemption in section 3(d)(3) of Executive Order 12866 for regulations limited to agency organization, management, or personnel matters, this document is not subject to the Executive Order's review requirements.

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 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 one year. This rule will have no such effect on State, local, and tribal governments, or on the private sector.

Paperwork Reduction Act of 1995

This document contains no provisions constituting a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521).

Regulatory Flexibility Act

The initial and final regulatory flexibility analysis requirements of sections 603 and 604 of the Regulatory Flexibility Act, 5 U.S.C. 601–612, are not applicable to this rule, because a notice of proposed rulemaking is not required for this rule. Even so, the Secretary hereby certifies that this regulatory amendment will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act. This amendment will not directly affect any small entities. Therefore, this amendment is also exempt pursuant to 5 U.S.C. 605(b), from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

Catalog of Federal Domestic Assistance

There are no Catalog of Federal Domestic Assistance program numbers for this rule.

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.

Robert L. Nabors II, Chief of Staff, approved this document on June 12, 2015, for publication.

List of Subjects in 38 CFR Part 2

Authority delegations (Government agencies).

Dated: June 12, 2015.

William F. Russo,

Acting Director, Office of Regulation Policy & Management, Office of the General Counsel.

For the reasons set out in the preamble, 38 CFR part 2 is amended as follows:

PART 2—DELEGATIONS OF AUTHORITY

■ 1. The authority citation for part 2 continues to read as follows:

Authority: 5 U.S.C. 302, 552a; 38 U.S.C. 501, 512, 515, 1729, 1729A, 5711; 44 U.S.C. 3702, and as noted in specific sections.

§ 2.6 [Amended]

■ 2. Amend § 2.6(e)(1) by removing ''Deputy General Counsel, and Director for Regulation Policy and Management'' and adding in its place ''the Principal Deputy General Counsel, the Deputy General Counsel, Central Office, and the Director of the Office of Regulation Policy and Management''.

[FR Doc. 2015–14959 Filed 6–17–15; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R06–OAR–2011–0938; FRL–9928–79–Region 6]

Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Transportation Conformity and Conformity of General Federal Actions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Under the Federal Clean Air Act (Act), the Environmental Protection Agency (EPA) is approving revisions to the New Mexico State Implementation Plan (SIP). These revisions update the transportation conformity rules and remove the general conformity provisions.

DATES: This rule is effective on July 20, 2015.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–R06–OAR–2011–0938. All documents in the docket are listed on the *http://www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, *e.g.,* 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 through *http://www.regulations.gov* or in hard copy at EPA Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202–2733.

FOR FURTHER INFORMATION CONTACT: Jeffrey Riley (6PD–L), telephone: (214) 665–8542, email: *riley.jeffrey@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The background for this action is discussed in detail in our February 10, 2015 direct final rule and proposal (80 FR 7341). The rule and proposal stated that if any relevant adverse comments were received by the end of the public comment period, the direct final rule would be withdrawn and we would respond to the comments in a subsequent final action. A relevant adverse comment was received during the comment period, and the direct final rule was withdrawn on April 8, 2015 (80 FR 19020). Our proposal provides the basis for this final action. These revisions amend the transportation conformity SIP provisions and remove the general conformity provisions from the SIP, as allowed by the Act's 2005 amendments. These revisions also address interagency consultation and enforceability of certain transportation-related control measures and mitigation measures.

We received one comment on the direct final rule by one commenter, Sierra Club. The comment and our response to the comment is below.

II. Response to Comments

Comment: ''Acting regional administrator Sam Coleman cannot sign approvals, disapprovals, or any combination of approvals or disapproval, in whole or in part, due to the fact that agency actions on state implementation plans are required to be signed by the regional administrator, Ron Curry, not the current deputy regional administrator as stated in the agency's delegations manual. The manual specifically states that SIP actions can't be redelegated from the regional administrator.''

Response: As the Acting Regional Administrator, Deputy Regional Administrator Sam Coleman had authority to sign the proposal and direct final action on the SIP revisions. On January 28, 2015, the day that the proposal and direct final action were signed, Sam Coleman was acting in the capacity of the Regional Administrator for Ron Curry, who was absent from Region 6 at the time. The following language is listed in the Region 6 Deputy Regional Administrator's position description ''In the absence of the Regional Administrator, the Deputy Regional Administrator will perform the duties of the Regional Administrator.'' Further, EPA Region 6 Order 1110.11 establishes a line of succession to perform the duties of the Regional Administrator should the Regional Administrator be absent from the office. The Deputy Regional Administrator is the first person listed on that line of succession. Copies of the two documents are included in the docket for this rulemaking. Finally, the heads of administrative agencies are statutorily vested with the authority to delegate authorities to subordinate officials, 5 U.S.C. 302. Federal Courts have held that rules, including internal delegations and appointments of authority are effective regardless of publication in the **Federal Register** or the Code of Federal Regulations.

The comment only challenged the Deputy Regional Administrator's authority to sign the Direct Final Action. EPA received no other comments or challenges as to the substance of the proposal or direct final. Therefore, we are finalizing our action to approve these SIP amendments.

III. Final Action

Pursuant to sections 110 and 176 of the Act, EPA is approving three revisions to the New Mexico SIP that were submitted on October 28, 2011, November 1, 2013, and August 8, 2014. We evaluated the state's submittals and determined that they meet the applicable requirements of the CAA sections 110 and 176 and applicable EPA guidance. In accordance with CAA section 110(l), these revisions will not interfere with attainment of the NAAQS, reasonable further progress, or any other applicable requirement of the CAA.

IV. Incorporation by Reference

In this rule, we are finalizing regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, we are finalizing the incorporation by reference of the revisions to the New Mexico regulations as described in the Final Action section above. We have made, and will continue to make, these documents generally

available electronically through *www.regulations.gov* and/or in hard copy at the EPA Region 6 office.

V. Statutory and Executive Order Reviews

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

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to 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).

The SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it 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 rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 17, 2015. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2)).

List of Subjects in 40 CFR Part 52

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

Dated: May 27, 2015.

Ron Curry,

Regional Administrator, Region 6.

Therefore, 40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart GG—New Mexico

■ 2. In § 52.1620, the first table in paragraph (c) entitled ''EPA Approved New Mexico Regulations'' is amended by:

■ a. Removing the entry for ''Part 98, General Conformity'';

■ b. Revising the entries for ''20.2.99.1'' through ''20.2.99.8'';

■ c. Removing the entry for ''20.2.99.9 to 20.2.99.100'';

■ d. Revising the entries for ''20.2.99.101'' through ''20.2.99.112'';

■ e. Removing the entries for ''20.2.99.113'' through ''20.2.99.154''.

The revisions read as follows:

§ 52.1620 Identification of plan.

* * * * *

(c) * * *

EPA APPROVED NEW MEXICO REGULATIONS

State citation	Title/Subject	State approval/ effective date	EPA Approval date	Comments
*	*	*	*	*
Part 99—Transportation Conformity				
20.2.99.1	Issuing Agency	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.2	Scope	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	

EPA APPROVED NEW MEXICO REGULATIONS—Continued

State citation	Title/Subject	State approval/ effective date	EPA Approval date	Comments
20.2.99.3	Statutory Authority	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.4	Duration	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.5	Effective Date	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.6	Objective	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.7	Definitions	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.8	Documents	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.101	Applicability	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.102	Consultation	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.103	Agency Roles in Consultation	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.104	Agency Responsibilities in Consultation.	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.105	General Consultation Procedures	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.106	Consultation Procedures for Specific Major Activities.	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.107	Consultation Procedures for Specific Routine Activities.	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.108	Notification Procedures for Routine Activities.	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.109	Conflict Resolution and Appeals to the Governor.	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.110	Public Consultation Procedures	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.111	Enforceability of Design Concept and Scope and Project-Level Mitigation and Control Measures.	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	
20.2.99.112	Savings Provision	7/11/2014	6/18/2015 [*Insert* ***Federal Register*** *Citation*].	

* * * * *

[FR Doc. 2015–13948 Filed 6–17–15; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

42 CFR Part 8

[Docket No. 2012–29417]

RIN 0930–AA14

Opioid Drugs in Maintenance and Detoxification Treatment of Opiate Addiction; Proposed Modification of Dispensing Restrictions for Buprenorphine and Buprenorphine Combination as Used in Approved Opioid Treatment Medications; Correction

AGENCY: Substance Abuse and Mental Health Services Administration, HHS.

ACTION: Final rule; correction.

SUMMARY: The Health and Human Services Department (HHS) is correcting a final rule that appeared in the **Federal Register** of December 6, 2012. The document modified the dispensing requirements buprenorphine and buprenorphine combination products approved by the Food and Drug Administration (FDA) for opioid dependence and used in federally certified and registered opioid treatment programs. In particular, this rule allows opioid treatment programs more flexibility in dispensing take-home supplies of buprenorphine after the assessment and documentation of a patient's responsibility and stability to receive opioid addiction treatment medication. However, an inadvertent removal of paragraphs was made. This correction reinstates the missing paragraphs.

DATES: Effective June 18, 2015.

FOR FURTHER INFORMATION CONTACT: Jinhee Lee, Division of Pharmacologic Therapies, Center for Substance Abuse Treatment, SAMHSA, 1 Choke Cherry Road, Room 7–1028, Rockville, MD 20857, (240) 276–2700, email: *Jinhee.Lee@samhsa.hhs.gov.*

SUPPLEMENTARY INFORMATION: On December 6, 2012 (77 FR 72752), HHS published a final rule in the **Federal Register** modifying the dispensing requirements in 42 CFR 8.12 for buprenorphine and buprenorphine combination products approved by FDA for opioid dependence and used in federally certified and registered opioid treatment programs. An inadvertent error was made whereby § 8.12(i)(3)(i) through (vi) was deleted. The original intention was only to revise § 8.12(i)(3) introductory text, however, this was not made clear and thus the entire section following the introductory text was removed. This correction properly modifies the dispensing requirements in 42 CFR 8.12 as published in the **Federal Register** on December 6, 2012, without removing § 8.12(i)(3)(i) through (vi).

List of Subjects in 42 CFR Part 8

Health professions, Levo-AlphaAcetyl-Methadol (LAAM), Methadone, Reporting and recordkeeping requirements.

PART 8—CERTIFICATION OF OPIOID TREATMENT PROGRAMS

■ 1. The authority citation for part 8 continues to read as follows:

Authority: 21 U.S.C. 823; 42 U.S.C. 290bb–2a, 290aa(d), 290dd–2, 300x–23, 300x–27(a), 300y–11.

■ 2. In § 8.12, paragraph (i)(3) is revised to read as follows:

§ 8.12 Federal opioid treatment standards.

* * * * *

(i) * * *

(3) Such determinations and the basis for such determinations consistent with the criteria outlined in paragraph (i)(2) of this section shall be documented in the patient's medical record. If it is determined that a patient is responsible in handling opioid drugs, the dispensing restrictions set forth in paragraphs (i)(3)(i) through (vi) of this section apply. The dispensing restrictions set forth in paragraphs (i)(3)(i) through (vi) of this section do not apply to buprenorphine and buprenorphine products listed under paragraph (h)(2)(iii) of this section.

(i) During the first 90 days of treatment, the take-home supply (beyond that of paragraph (i)(1) of this section) is limited to a single dose each week and the patient shall ingest all other doses under appropriate supervision as provided for under the regulations in this subpart.

(ii) In the second 90 days of treatment, the take-home supply (beyond that of paragraph (i)(1) of this section) are two doses per week.

(iii) In the third 90 days of treatment, the take-home supply (beyond that of paragraph (i)(1) of this section) are three doses per week.

(iv) In the remaining months of the first year, a patient may be given a maximum 6-day supply of take-home medication.

(v) After 1 year of continuous treatment, a patient may be given a maximum 2-week supply of take-home medication.

(vi) After 2 years of continuous treatment, a patient may be given a maximum one-month supply of take-home medication, but must make monthly visits.

* * * * *

Dated: June 4, 2015.

Oliver Potts,

Deputy Executive Secretary, U.S. Department of Health and Human Services.

[FR Doc. 2015–14421 Filed 6–17–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

45 CFR Part 1

Removal of Obsolete Provisions

AGENCY: Office of the Secretary, HHS.

ACTION: Direct final rule.

SUMMARY: Much of the information set out in certain regulations regarding HHS's programs and activities is obsolete. Also, electronic resources are now available that did not exist when this part was first codified. This rule removes these obsolete regulations.

DATES: This action is effective August 17, 2015 without further action, unless adverse comment is received by July 20, 2015 If adverse comment is received, HHS will publish a timely cancellation of the action in the **Federal Register**.

ADDRESSES: Interested persons are invited to submit comments concerning this action. You may submit electronic comments to *http://www.regulations.gov.* Follow the ''Submit a comment'' instructions. Or, you may mail paper comments as follows: Madhura Valverde, Suite 639G, 200 Independence Avenue SW., Washington, DC 20201. (Please allow sufficient time for mailed comments to be received before the close of the comment period). If you wish to deliver paper comments in person or by courier, please call (202) 690–6827 or (202) 205–9165, to schedule the delivery with one of our staff members.

FOR FURTHER INFORMATION CONTACT: Madhura Valverde, Executive Secretary, U.S. Department of Health and Human Services, Washington, DC 20201 *(madhura.valverde@hhs.gov).*

SUPPLEMENTARY INFORMATION: The provisions of 45 CFR part 1, specifying the CFR locations of regulations for HHS's programs and activities, and regarding the subject matter of the Office of the Secretary regulations, have not been updated since 1987. These regulations have become obsolete and inaccurate. At the time they were added to the CFR, it was felt that this material would prove helpful to the public. However, the growth of electronic accessibility to regulations through such governmental sources as:

—Office of the Federal Register's (OFR) List of CFR Subjects (*www.archives.gov/federalrgeister/cfr/subjects.htm*);

—OFR's Electronic Code of Federal Regulations (*www.ecfr.gov*);

—OFR's annual CFR ○ (*www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR*);

—HHS's Web site (*www.hhs.gov/regulations*);

as well as numerous commercial web browsers, have greatly improved the public's access to, and ability to search our regulations. Because of this increased accessibility, and in response to Executive Order 13563, Sec. 6, which urges agencies to ''repeal'' existing regulations that are ''outmoded'', HHS is removing 45 CFR part 1.

Notice and comment are not required for this rule, because it affects agency organization, procedure, or practice under 5 U.S.C. 553(b)(A). Furthermore, HHS believes that there is good cause hereby to bypass notice and comment, and to proceed to a direct final rule, pursuant to 5 U.S.C. 553 (b)(B). The action is non-controversial, merely removing information from the CFR that is obsolete and inaccurate, and whose current locations are otherwise readily available. This rule posed no new substantive requirements on the public. Accordingly, HHS believes this direct final rule will not elicit any significant adverse comments, but if such comments are received HHS will publish a timely notice of withdrawal in the **Federal Register**.

Executive Order 12866

This action does not meet the criteria for a significant regulatory action as set out under Executive Order 12866, and review by the Office of Management and Budget has accordingly not been required.

Regulatory Flexibility Act

This action will not have a significant economic impact on a substantial number of small entities. Therefore, the regulatory flexibility analysis provided for under the Regulatory Flexibility Act is not required.

Paperwork Reduction Act

This action does not impose any information collection requirements under the Paperwork Reduction Act.

List of Subjects in 45 CFR Part 1

Code of Federal Regulations, Organization and functions (Government agencies).

For reasons set out in the preamble, and under the authority at 5 U.S.C. 301, HHS amends 45 CFR subchapter A by removing part 1.

PART 1—[REMOVED AND RESERVED]

Dated: June 5, 2015.

Sylvia M. Burwell,

Secretary.

[FR Doc. 2015–14424 Filed 6–17–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Parts 385

[Docket No. FMCSA–FMCSA–2015–0075]

RIN 2126–AB78

Incorporation by Reference; North American Standard Out-of-Service Criteria; Hazardous Materials Safety Permits

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Final rule.

SUMMARY: FMCSA amends its Hazardous Materials Safety Permits rules to update the current incorporation by reference of the ''North American Standard Out-of-Service Criteria and Level VI Inspection Procedures and Out-of-Service Criteria for Commercial Highway Vehicles Transporting Transuranics and Highway Route Controlled Quantities of Radioactive Materials as defined in 49 CFR part 173.403.'' Currently the rules reference the April 1, 2014, edition of the out-of-service criteria and, through this final rule, FMCSA incorporates the April 1, 2015, edition.

DATES: Effective June 18, 2015. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 as of June 18, 2015.

FOR FURTHER INFORMATION CONTACT: Mr. Michael Huntley, Federal Motor Carrier Safety Administration, Office of Policy, 1200 New Jersey Avenue SE., Washington, DC 20590–0001, by telephone at (202) 366–9209 or via email *michael.huntley@dot.gov.* Office hours are from 8 a.m. to 4:30 p.m., Monday through Friday, except Federal holidays. If you have questions on viewing the docket, contact Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

This rulemaking updates an incorporation by reference found at 49 CFR 385.4 and referenced at 49 CFR 385.415(b)(1). The rules currently reference the April 1, 2014, edition of ''North American Standard Out-of-Service Criteria and Level VI Inspection Procedures and Out-of-Service Criteria for Commercial Highway Vehicles Transporting Transuranics and Highway Route Controlled Quantities of Radioactive Materials as defined in 49 CFR part 173.403.'' In this final rule, FMCSA incorporates the April 1, 2015, edition. The revision does not impose new requirements or substantively amend the Code of Federal Regulations.

II. Legal Basis for the Rulemaking

Congress has enacted several statutory provisions to improve the safety of hazardous materials transported in interstate commerce. Specifically, in provisions codified at 49 U.S.C. 5105(e), relating to inspections of motor vehicles carrying hazardous material, and 49 U.S.C. 5109, relating to motor carrier safety permits, it has required the Secretary of the Department of Transportation to promulgate regulations as part of a comprehensive safety program on hazardous material safety permits. The FMCSA Administrator has been delegated authority under 49 CFR 1.87 to carry out the rulemaking functions vested in the Secretary of Transportation. Consistent with that authority, FMCSA has promulgated regulations to address the congressional mandate. Such regulations on hazardous materials are the underlying provisions that have utilized the material incorporated by reference discussed in this notice.

The Administrative Procedure Act (APA) (5 U.S.C. 553) specifically provides that adherence to its notice and public comment rulemaking procedures are not required where the Agency finds there is good cause to dispense with such procedures (and incorporates the finding and a brief statement of reasons to support the finding in the rules issued). Generally, good cause exists where the Agency determines that notice and public comment procedures are impracticable, unnecessary, or contrary to the public interest (5 U.S.C. 553 (b)(3)(B)). This document updates an incorporation by reference found at 49 CFR 385.4 and referenced at 49 CFR 385.415(b)(1). The revision does not impose new requirements or substantively change the Code of Federal Regulations. For these reasons, the FMCSA finds good cause that notice and public comment procedures are unnecessary.

III. Background

Currently, 49 CFR 385.415 prescribes operational requirements for motor carriers transporting hazardous materials for which a hazardous materials safety permit is required. Section 385.415(b)(1) requires that motor carriers must ensure a pre-trip inspection be performed on each motor vehicle to be used to transport a highway route controlled quantity of a Class 7 (radioactive) material, in accordance with the requirements of the ''North American Standard Out-of-Service Criteria and Level VI Inspection Procedures and Out-of-Service Criteria for Commercial Highway Vehicles Transporting Transuranics and Highway Route Controlled Quantities of Radioactive Materials as defined in 49 CFR part 173.403.'' With regard to the specific edition of the out-of-service criteria, 49 CFR 385.4, as amended on May 15, 2014 (79 FR 27766), references the April 1, 2014, edition. Specifically, this final rule amends § 385.4 (b) by replacing the reference to the April 1, 2014, edition date with the new edition date of April 1, 2015.

FMCSA reviewed the April 1, 2015, edition and determined there are no substantive changes that would result in motor carriers being subjected to a new or amended standard. The changes are highlighted below for reference. It is necessary to update the reference to ensure that motor carriers and enforcement officials have convenient access to the correctly identified inspection criteria that are referenced in the rules.

There are eight changes made in the 2015 edition. Additional conforming changes have been made to the table of contents, but those are not included in this summary. (All references are to the April 1, 2015 North American Standard Out-of-Service Criteria and Level VI Inspection Procedures and Out-of-Service Criteria for Commercial Highway Vehicles Transporting Transuranics and Highway Route Controlled Quantities of Radioactive Materials as defined in 49 CFR part 173.403.) The first change is to create consistency in the language used between commercial driver's license (CDL) and non-CDL drivers, when being taken out of service. (Part I, item 2.a.(1)) It does not change the criteria used to take drivers out of service, therefore this is not a substantive change. The second change is to align the standard with FMCSA's regulation governing operation of a vehicle while fatigued, found at 49 CFR 392.3. (Part I, Item 6.) Again, this change does not alter the criteria an inspector would use to take

a driver out of service and as such does not rise to a substantive change.

The third change removes Part I, Item 7, which addresses communication. The 2014 edition included an item covering the responsibility of the driver and motor carrier to ensure adequate communication in Canada, Mexico, and the United States (the three countries covered by the standard). However, because the FMCSRs only require drivers in the United States to be able to communicate in English for basic purposes (converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records), there should be no additional burden placed on drivers in the United States as a result of the change in the 2015 standard. As a result, removing this item will not have a substantive impact on drivers.

The fourth, fifth and sixth changes amend Part II, Item 1. (BRAKE SYSTEMS). The language for the out-of-service condition for Defective Brakes and Front Steering Axle(s) Brakes was modified to add loose and missing caliper mounting bolts to the 20% calculation for determining OOSC for hydraulic brakes. Its omission was an oversight when the criterion for brakes was rewritten; FMCSA views this change as nonsubstantive. (Part II, Item 1.a. & b.) An amendment to the language for the application of OOSC for worn hoses clarifies that this section is intended for air brake hoses only, and as such is not a substantive change. (Part II, Item 1.h.) Also, the amendment to the OOSC addresses the improper repair of hydraulic brake lines by means of placing a piece of tubing over the metal tubing and attaching with hose clamps. As this method of repair is not permitted under the FMCSRs, this change will not have a substantive impact. (Part II, Item 1.o.)

The seventh change revises wording that was causing confusion in Part II, Item 3. (COUPLING). The current language causes confusion and gives the impression that the entire fifth wheel is not being taken into consideration. The new OOSC language clarifies how to measure cracks in parent metal, how to determine the 20% weld cracks, and defines a ''well defined (especially open) crack'' as well as a crack in a repair weld. This revision is a clarification and not a substantive change. (Part II, Item 3.a. & b.)

The final change adds a paragraph (c) to Part II, Item 15. This new paragraph explicitly calls out the practice of using loose or temporary seating. As the practice is already prohibited under the FMCSRs (see 49 CFR 393.91, 390.33), the additional language does not alter the criteria an inspector would use to take a driver out of service and as such does not rise to a substantive change. (Part II, Item 15.c.)

IV. Regulatory Analyses

Regulatory Planning and Review (Executive Order (E.O.) 12866) and DOT Regulatory Policies and Procedures

FMCSA has determined that this action is not a significant regulatory action within the meaning of E.O. 12866, as supplemented by E.O. 13563 (76 FR 3821, January 18, 2011), or within the meaning of the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). FMCSA expects the final rule will have no costs; therefore, a full regulatory evaluation is unnecessary. The Office of Management and Budget (OMB) did not, therefore, review this document.

Regulatory Flexibility Act

Pursuant to the Regulatory Flexibility Act (RFA) of 1980 (5 U.S.C. 601 *et seq.*), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121, 110 Stat. 857), FMCSA is not required to prepare a final regulatory flexibility analysis under 5 U.S.C. 604(a) for this final rule because the Agency has not issued a notice of proposed rulemaking prior to this action. FMCSA has determined that it has good cause to adopt the rule without notice and comment.

Assistance for Small Entities

In accordance with section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996, FMCSA wants to assist small entities in understanding this rule so that they can better evaluate its effects on themselves and participate in the rulemaking initiative. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please consult the FMCSA point of contact, Michael Huntley, listed in the **FOR FURTHER INFORMATION CONTACT** section of this rule.

Unfunded Mandates Reform Act of 1995

The final rule will not impose an unfunded Federal mandate, as defined by the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532, *et seq.*), that will result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $151 million (which is the 2012 inflation-adjusted value of the 1995 threshold of $100 million) or more in any 1 year.

Federalism (E.O. 13132)

A rule has implications for federalism under E.O. 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on States or localities. FMCSA analyzed this rule under that Order and has determined that it does not have implications for federalism.

Civil Justice Reform (E.O. 12988)

This action meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children (E.O. 13045)

FMCSA analyzed this action under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. FMCSA determined that this final rule will not create an environmental risk to health or safety that may disproportionately affect children. In addition, it is not an economically significant rule, and no such analysis is therefore required.

Taking of Private Property (E.O. 12630)

This rule will not effect a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Privacy Impact Assessment

Section 522 of title I of division H of the Consolidated Appropriations Act, 2005, enacted December 8, 2004 (Pub. L. 108–447, 118 Stat. 2809, 3268, 5 U.S.C. 552a note), requires the Agency to conduct a privacy impact assessment (PIA) of a regulation that will affect the privacy of individuals. This rule does not require the collection of personally identifiable information (PII).

Intergovernmental Review (E.O. 12372)

The regulations implementing E.O. 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to this rule.

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information they conduct, sponsor, or require through regulations. FMCSA determined that no new information collection requirements are associated with this final rule.

National Environmental Policy and Clean Air Act

FMCSA analyzed this final rule for the purpose of ascertaining the applicability of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and our Environmental Procedures Order 5610.1, issued March 1, 2004 (69 FR 9680). This final rule is categorically excluded from further analysis and documentation under the Categorical Exclusion (CE) in paragraph 6(b) of Appendix 2 of FMCSA Order 5610.1. This CE addresses minor revisions such as found in this rulemaking; therefore preparation of an environmental assessment or environmental impact statement is not necessary.

The FMCSA also analyzed this rule under the Clean Air Act, as amended (CAA), section 176(c) (42 U.S.C. 7401 *et seq.*), and implementing regulations promulgated by the Environmental Protection Agency. Approval of this action is exempt from the CAA's general conformity requirement since it will have no effect on air emissions.

Environmental Justice (E.O. 12898)

FMCSA evaluated the environmental effects of this final rule in accordance with E.O. 12898 and determined that there are no environmental justice issues associated with its provisions nor any collective environmental impacts resulting from its promulgation. Environmental justice issues would be raised if there were a ''disproportionate'' and ''high and adverse impact'' on minority or low-income populations. FMCSA analyzed this action under NEPA and found the action to be categorically excluded from analysis due to the lack of impact to the environment. This final rule simply updates an incorporation by reference and would not result in high and adverse environmental impacts.

Energy Supply, Distribution, or Use (E.O. 13211)

FMCSA has analyzed this rule under E.O. 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. FMCSA has determined that it is not a ''significant energy action'' under that E.O. because it is not a ''significant regulatory action'' under E.O. 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. Therefore, the rule does not require a Statement of Energy Effects under E.O. 13211.

Indian Tribal Governments (E.O. 13175)

This rule does not have tribal implications under E.O. 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

National Technology Transfer and Advancement Act (Technical Standards) and 1 CFR Part 51

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) requires Federal agencies proposing to adopt technical standards to consider whether voluntary consensus standards are available. If the Agency chooses to adopt its own standards in place of existing voluntary consensus standards, it must explain its decision in a separate statement to OMB. Because FMCSA does not intend to adopt its own technical standards, there is no need to submit a separate statement to OMB on this matter. The standard incorporated by reference is discussed in detail in section III. Background and is reasonably available through the CSVA Web site.

E-Government Act of 2002

The E-Government Act of 2002, Public Law 107–347, section 208, 116 Stat. 2899, 2921 (Dec. 17, 2002), requires Federal agencies to conduct a privacy impact assessment for new or substantially changed technology that collects, maintains, or disseminates information in an identifiable form. No new or substantially changed technology would collect, maintain, or disseminate information as a result of this rule. Accordingly, FMCSA has not conducted a privacy impact assessment.

List of Subjects in 49 CFR Part 385

Administrative practice and procedure, Highway safety, Incorporation by reference, Mexico, Motor carriers, Motor vehicle safety, Reporting and recordkeeping requirements.

In consideration of the foregoing, FMCSA is amending 49 CFR chapter III, part 385 as set forth below:

PART 385—SAFETY FITNESS PROCEDURES

■ 1. The authority citation for part 385 continues to read as follows:

Authority: 49 U.S.C. 113, 504, 521(b), 5105(e), 5109, 13901–13905, 31133, 31135, 31136, 31137(a), 31144, 31148, and 31502; Sec. 113(a), Pub. L. 103–311; Sec. 408, Pub. L. 104–88; Sec. 350 of Pub. L. 107–87; and 49 CFR 1.87.

■ 2. Revise § 385.4(b)(1) to read as follows:

§ 385.4 Matter incorporated by reference.

* * * * *

(b) * * *

(1) ''North American Standard Out-of-Service Criteria and Level VI Inspection Procedures and Out-of-Service Criteria for Commercial Highway Vehicles Transporting Transuranics and Highway Route Controlled Quantities of Radioactive Materials as defined in 49 CFR part 173.403,'' April 1, 2015; incorporation by reference approved for § 385.415(b).

* * * * *

Issued under the authority of delegation in 49 CFR 1.87 on: June 5, 2015.

T. F. Scott Darling, III,

Chief Counsel.

[FR Doc. 2015–14961 Filed 6–17–15; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 150105004–5355–01]

RIN 0648–XD984

Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Possession Limit Adjustments for the Common Pool Fishery

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

ACTION: Temporary rule; inseason adjustment.

SUMMARY: This action decreases the possession and landing limit for Gulf of Maine cod to zero for Northeast multispecies common pool vessels for the remainder of the 2015 fishing year. NMFS is taking this action because the common pool has caught 44.5 percent of its Trimester 1 Total Allowable Catch Gulf of Maine cod quota in the first month of the trimester. This action is intended to prevent the overharvest of the common pool's fishing year 2015 allocation of Gulf of Maine cod and prevent the closure of the Gulf of Maine to all common pool vessels before the end of the Trimester.

DATES: Effective June 15, 2015, through April 30, 2016.

FOR FURTHER INFORMATION CONTACT: Liz Sullivan, Fishery Management Specialist, 978–282–8493.

SUPPLEMENTARY INFORMATION:

Regulations governing the Northeast (NE) multispecies fishery are found at 50 CFR part 648, subpart F. The regulations at 50 CFR 648.86(o) authorize the Regional Administrator (RA) to adjust the possession limits for common pool vessels in order to prevent the overharvest or underharvest of the common pool quotas.

Based on data reported through May 25, 2015, 44.5 percent of the common pool trimester Total Allowable Catch (TAC) of 1.5 mt, and 12 percent of the sub-Annual Catch Limit (sub-ACL) of 5.6 mt for Gulf of Maine (GOM) cod has been caught. Recent analysis shows that the common pool would likely exceed its Trimester TAC for the GOM cod stock before the end of June if action is not taken, which would result in the closure of the GOM cod Trimester TAC Area. We are reducing the possession limit and trip limit for GOM cod to zero. The possession limit and trip limit adjustments are effective June 15, 2015, through April 30, 2016. If a vessel has declared its trip through the vessel monitoring system (VMS) or interactive voice response system, and crossed the VMS demarcation line prior to the effective date, it will not be subject to the new trip limits for that trip.

Under a zero possession limit, the bycatch and discard of GOM cod will continue to be accounted for. On observed common pool trips, observers record actual discards; unobserved trips receive the assumed discard rate based on observed trips. The assumed discard rate is applied based on the pounds of all landed species, which means that even at a zero possession limit for GOM cod, the cumulative catch of GOM cod (which includes both landed and discards) will continue to increase. If vessels respond to this action by vigorously redirecting onto other NE multispecies, the landing of those species and the associated assumed discards of GOM cod could push the cumulative catch of GOM cod closer to 90 percent of the Trimester TAC, potentially triggering the closure of the GOM cod Trimester TAC Area. Alternatively, this action could cause a reduction of common pool fishing effort in the GOM, leading to less bycatch and discard of GOM cod, if the zero possession limit makes it uneconomical for some trips to occur.

Weekly quota monitoring reports for the common pool fishery can be found on our Web site at: *http://www.greateratlantic.fisheries.noaa.gov/ro/fso/MultiMonReports.htm.* We will continue to monitor common pool catch through vessel trip reports, dealer-reported landings, vessel monitoring system catch reports, VMS catch reports, and other available information, and if necessary, we will make additional adjustments to common pool management measures.

Classification

This action is required by 50 CFR part 648, and is exempt from review under Executive Order 12866.

The Assistant Administrator for Fisheries, NOAA (AA), finds good cause pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment because it would be impracticable and contrary to the public interest. Pursuant to 5 U.S.C. 553(d)(3), the AA also finds good cause to waive the 30-day delayed effectiveness period.

The regulations at § 648.86(o) authorize the RA to adjust the NE multispecies trip limits for common pool vessels in order to prevent the overharvest or underharvest of the common pool quotas. The catch data and analysis used as the basis for this action only became available on June 1, 2015. The available analysis indicates that if the GOM cod trip limits are not reduced immediately, the common pool fishery will likely exceed its Trimester TAC for this stock. As a result, this action reduces the likelihood that the RA will be required to close a significant portion of the GOM to the common pool fishery. Any overages of the common pool quota for this stock would undermine conservation objectives and trigger the implementation of accountability measures that would have negative economic impacts on the common pool vessels. As a result, the time necessary to provide for prior notice and comment, and a 30-day delay in effectiveness, would prevent NMFS from implementing the necessary trip limit adjustments in a timely manner, which could undermine conservation objectives of the NE Multispecies Fishery Management Plan, and cause negative economic impacts to the common pool fishery.

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

Dated: June 12, 2015.

Emily H. Menashes,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2015–14942 Filed 6–15–15; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 80, No. 117
Thursday, June 18, 2015

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

10 CFR Part 430

[Docket Number EERE–2014–BT–STD–0059]

Energy Conservation Program: Energy Conservation Standards for Room Air Conditioners; Request for Information

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Request for Information (RFI).

SUMMARY: The U.S. Department of Energy (DOE) is initiating an effort to determine whether to amend the current energy conservation standards for room air conditioners (room ACs). According to the Energy Policy and Conservation Act's 6-year review requirement, DOE must publish by April 8, 2017 a notice of proposed rulemaking (NOPR) to propose new standards for room ACs or a notice of determination that the existing standards do not need to be amended. This RFI seeks to solicit information from the public to help DOE determine whether amended standards for room ACs would result in a significant amount of additional energy savings and whether those standards would be technologically feasible and economically justified. In addition, DOE has identified several issues associated with the currently applicable test procedure for room ACs on which DOE is particularly interested in receiving comment.

DATES: Written comments and information are requested on or before August 3, 2015.

ADDRESSES: Interested parties are encouraged to submit comments electronically. However, comments may be submitted by any of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: RoomAC2014STD0059@ee.doe.gov.* Include docket number EERE–2014–BT–STD–0059 in the subject line of the message. All comments should clearly identify the name, address, and, if appropriate, organization of the commenter. Submit electronic comments in Word Perfect, Microsoft Word, PDF, or ASCII file format, and avoid the use of special characters or any form on encryption.
- *Postal Mail:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Office, Mailstop EE–5B, Request for Information for Energy Conservation Standards for Room Air Conditioners, Docket No. EERE–2014–BT–STD–0059, 1000 Independence Avenue SW., Washington, DC 20585–0121. Please submit one signed paper original.
- *Hand Delivery/Courier:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Office, Sixth Floor, 950 L'Enfant Plaza SW., Washington, DC 20024. Please submit one signed paper original.

Instructions: All submissions received must include the agency name and docket number for this rulemaking. No telefacsimiles (faxes) will be accepted.

Docket: The docket is available for review at *www.regulations.gov,* including **Federal Register** notices, comments, and other supporting documents/materials. All documents in the docket are listed in the *www.regulations.gov* index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure. A link to the docket Web page can be found at: *http://www.regulations.gov/#!docketDetail;D=EERE-2014-BT-STD-0059.* This Web page contains a link to the docket for this notice on the *www.regulations.gov* Web site. The *www.regulations.gov* Web page contains simple instructions on how to access all documents, including public comments, in the docket.

FOR FURTHER INFORMATION CONTACT: Direct requests for additional information may be sent to:

Mr. Bryan Berringer, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: 202–586–0371. Email: *room_air_conditioners@ee.doe.gov.*

Ms. Sarah Butler, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–1777. Email: *Sarah.Butler@hq.doe.gov.*

For information on how to submit or review public comments, contact Ms. Brenda Edwards, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, Mailstop EE–5B, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–2945. Email: *Brenda.Edwards@ee.doe.gov.*

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
A. Authority and Background
B. Rulemaking Process
II. Request for Information and Comments
A. Products Covered by this Rule
B. Test Procedure
1. Background
2. Updated Energy Efficiency Metric
3. Test Method for Cooling Mode
4. Test Method for Heating Mode
5. Test Method for Part Load Performance
6. Test Methods for Products that Operate on Mutliple Voltages
7. Test Methods for ''Connected Products''
C. Market and Technology Assessment
1. Product Classes
2. Technology Assessment
D. Screening Analysis
1. Weight Limits
2. Chassis size Limits
3. Acoustic Noise
E. Engineering Analysis
1. Baseline Models
2. Baseline Efficiency Levels
3. Higher Efficiency Levels
F. Markups Analysis
G. Energy Use Analysis
H. Life-Cycle Cost and Payback Period Analysis
I. Shipments Analysis
J. National Impact Analysis
K. Manufacturer Impact Analysis
III. Submission of Comments

I. Introduction

A. Authority and Background

Title III, Part B [1] of the Energy Policy and Conservation Act of 1975 (EPCA or the Act), Public Law 94–163, (42 U.S.C. 6291–6309, as codified) sets forth a variety of provisions designed to improve energy efficiency and established the Energy Conservation Program for Consumer Products Other Than Automobiles, a program covering major household appliances (collectively referred to as ''covered products''), including room ACs.[2] EPCA authorizes DOE to establish technologically feasible, economically justified energy conservation standards for covered products that would be likely to result in significant national energy savings. (42 U.S.C. 6295(o)(2)(B)(i)(I)–(VII))

The National Appliance Energy Conservation Act of 1987 (NAECA), Public Law 100–12, amended EPCA to establish prescriptive standards for room ACs manufactured on or after January 1, 1990, and directed DOE to conduct two cycles of rulemakings to determine if more stringent standards were justified. (42 U.S.C. 6295(c)(1)–(2))

DOE undertook the first cycle of these rulemakings and published a final rule on September 24, 1997 (hereafter the September 1997 Final Rule), revising the energy conservation standards for room ACs manufactured on or after October 1, 2000. 62 FR 50122. For the second cycle of rulemakings, DOE published a direct final rule on April 21, 2011 (hereafter the April 2011 Direct Final Rule), amending the energy conservation standards for room ACs manufactured on or after April 21, 2014. 76 FR 22454. DOE published a final rule amending the compliance dates for energy conservation standards for residential room air conditioners. 76 FR 52852 (Aug. 24, 2011). In a separate notice, also on August 24, 2011, DOE confirmed the adoption of these energy conservation standards in a notice of effective date and compliance dates for the direct final rule published on August 24, 2011 (76 FR 52854), which also adopted compliance dates which were set forth in a proposed rule published on May 9, 2011 (76 FR 26656). The current energy conservation standards apply to room ACs manufactured on or after June 1, 2014.

EPCA requires that, not later than 6 years after the issuance of a final rule establishing or amending a standard, DOE publish a NOPR proposing new standards or a notice of determination that the existing standards do not need to be amended. (42 U.S.C. 6295(m)(1)) Based on this provision, DOE must publish by April 8, 2017, either a NOPR proposing amended standards for room ACs or a notice of determination that the existing standards do not need to be amended. This notice represents the initiation of the mandatory review process imposed by EPCA and seeks input from the public to assist DOE with its determination on whether amended standards pertaining to room ACs are warranted. In making this determination, DOE must evaluate whether more stringent standards would (1) yield a significant savings in energy use and (2) be both technologically feasible and economically justified. (42 U.S.C. 6295(o)(3)(B))

B. Rulemaking Process

DOE must follow specific statutory criteria for prescribing new or amended standards for covered products. EPCA requires that any new or amended energy conservation standard be designed to achieve the maximum improvement in energy or water efficiency that is technologically feasible and economically justified. To determine whether a standard is economically justified, EPCA requires that DOE determine whether the benefits of the standard exceed its burdens by considering, to the greatest extent practicable, the following:

1. The economic impact of the standard on the manufacturers and consumers of the affected products;

2. The savings in operating costs throughout the estimated average life of the product compared to any increases in the initial cost, or maintenance expense;

3. The total projected amount of energy and water (if applicable) savings likely to result directly from the imposition of the standard;

4. Any lessening of the utility or the performance of the products likely to result from the imposition of the standard;

5. The impact of any lessening of competition, as determined in writing by the Attorney General, that is likely to result from the imposition of the standard;

6. The need for national energy and water conservation; and

7. Other factors the Secretary of Energy (Secretary) considers relevant. (42 U.S.C. 6295 (o)(2)(B)(i))

DOE fulfills these and other applicable requirements by conducting a series of analyses throughout the rulemaking process. Table I.1 shows the individual analyses that are performed to satisfy each of the requirements within EPCA.

TABLE I.1—EPCA REQUIREMENTS AND CORRESPONDING DOE ANALYSIS

EPCA requirement	Corresponding DOE analysis
Technological Feasibility	• Market and Technology Assessment. • Screening Analysis. • Engineering Analysis.
Economic Justification:	
1. Economic impact on manufacturers and consumers	• Manufacturer Impact Analysis. • Life-Cycle Cost and Payback Period Analysis. • Life-Cycle Cost Subgroup Analysis. • Shipments Analysis.
2. Lifetime operating cost savings compared to increased cost for the product.	• Markups for Product Price Determination. • Energy and Water Use Determination. • Life-Cycle Cost and Payback Period Analysis.
3. Total projected energy savings	• Shipments Analysis. • National Impact Analysis.
4. Impact on utility or performance	• Screening Analysis. • Engineering Analysis.
5. Impact of any lessening of competition	• Manufacturer Impact Analysis.
6. Need for national energy and water conservation	• Shipments Analysis. • National Impact Analysis.

[1] For editorial reasons, upon codification in the U.S. Code, Part B was re-designated Part A.

[2] All references to EPCA in this document refer to the statute as amended through the Energy Efficiency Improvement Act of 2015, Public Law 114–11 (April 30, 2015).

TABLE I.1—EPCA REQUIREMENTS AND CORRESPONDING DOE ANALYSIS—Continued

EPCA requirement	Corresponding DOE analysis
7. Other factors the Secretary considers relevant	• Emissions Analysis. • Utility Impact Analysis. • Employment Impact Analysis. • Monetization of Emission Reductions Benefits. • Regulatory Impact Analysis.

As detailed throughout this RFI, DOE is specifically publishing this notice as the first step in the analysis process and is specifically requesting input and data from interested parties to aid in the development of the technical analyses.

II. Request for Information and Comments

In the next section, DOE has identified a variety of questions that DOE would like to receive input on to aid in the development of the technical and economic analyses regarding whether new standards for room ACs may be warranted. In addition, DOE welcomes comments on other issues relevant to the conduct of this rulemaking that may not specifically be identified in this notice.

A. Products Covered by This Rulemaking

DOE defines ''room air conditioner'' under EPCA as ''a consumer product, other than a ''packaged terminal air conditioner,'' which is powered by a single phase electric current and which is an encased assembly designed as a unit for mounting in a window or through the wall for the purpose of providing delivery of conditioned air to an enclosed space. It includes a prime source of refrigeration and may include a means for ventilating and heating. (10 CFR 430.2) DOE intends to address energy conservation standards for all room ACs.

DOE notes that other consumer products, including portable ACs and residential dehumidifiers, are self-encased, powered by a single phase electric current, refrigeration-based, and provide delivery of conditioned air to an enclosed space. Portable ACs also provide connection through ducting to a window mounting bracket. DOE believes, however, that the requirement in the room AC definition that the encased assembly be designed as a unit for mounting in a window refers to the product in its entirety, and not just to duct connections. For this reason, DOE is not proposing to update the definition of ''room air conditioner'' to exclude other consumer products.

DOE is aware that room ACs may provide additional consumer-oriented functions besides cooling, heating, and ventilation. Certain units may offer an air circulation feature, in which the room air is circulated without the addition of any outside air. In addition, certain units may provide an air cleaning function by means of electrostatic filtration, ultraviolet radiation, or ozone generators. DOE requests feedback from interested parties on the suitability of adding references to air circulation, air cleaning, or other functions to the room air conditioner definition.

Issue A.1 DOE requests comment on the definition of room ACs and the consideration of energy conservation standards for all room ACs.

B. Test Procedure

1. Background

Prior to June 1, 2014, room AC performance was certified using the energy efficiency ratio (EER). EER is expressed in British thermal units (Btu) per watt-hour (Wh), and is the quotient of: (1) The cooling capacity in Btu per hour, divided by: (2) The electrical input power in watts (W). (10 CFR 430.23(f)(2))

The Energy Independence and Security Act of 2007 (EISA 2007), Public Law 110–140, amended EPCA to require that standby mode and off mode energy consumption be integrated into the overall energy efficiency, energy consumption, or other energy descriptor unless the Secretary determines that (i) the current test procedures for a covered product already fully account for and incorporate standby mode and off mode energy consumption of the covered product; or (ii) such an integrated test procedure is technically infeasible for a particular covered product, in which case the Secretary shall prescribe a separate standby mode and off mode energy use test procedure for the covered product, if technically feasible. (42 U.S.C. 6295(gg)(2)(A))

On January 6, 2011, DOE published in the **Federal Register** a final rule for a room air AC test procedure rulemaking (January 2011 RAC TP Final Rule), in which DOE determined it is technically feasible to incorporate standby mode and off mode energy consumption into overall energy consumption. As a result, DOE adopted new methods to calculate room AC standby and off mode energy use and the new measure of energy efficiency, Combined Energy Efficiency Ratio (CEER), that integrates standby and off mode energy use with the active mode energy use. 76 FR 972, 991–992 (Jan. 6, 2011)

In the January 2011 RAC TP Final Rule, DOE incorporated by reference into the room AC test procedures specific clauses from International Electrotechnical Commission (IEC) Standard 62301, ''Household electrical appliances—Measurement of standby power'', First Edition, 2005–06 (IEC Standard 62301 First Edition) regarding test conditions and test procedures for measuring standby and off mode power consumption. DOE also incorporated definitions of ''active mode,'' ''standby mode,'' and ''off mode'' that are based on the definitions provided in IEC Standard 62301, ''Household electrical appliances—Measurement of standby power'', Second Edition, Committee Draft for Vote (IEC Standard 62301 CDV). Further, DOE adopted language to clarify the application of clauses from IEC Standard 62301 First Edition and the mode definitions from IEC Standard 62301 CDV for measuring standby and off mode power consumption. 76 FR 972, 979–987 (Jan. 6, 2011). Also as part of the January 2011 RAC TP Final Rule, DOE amended the room AC test procedure to update the references to industry test standards to the versions applicable at that time: (1) American National Standards Institute (ANSI)/ Association of Home Appliance Manufacturers (AHAM) RAC–1–2008, ''Room Air Conditioners'' (ANSI/AHAM RAC–1–2008); [3] and (2) ANSI/American Society of Heating, Refrigerating, and Air-Conditioning Engineers Standard (ASHRAE) 16–1983 (RA2009), ''Method of Testing for Rating Room Air Conditioners and Packaged Terminal Air Conditioners'' (ANSI/ASHRAE Standard 16–1983 (RA2009)),[4]

[3] AHAM standards are available for purchase online at: *www.aham.org/ht/d/Store/name/STANDARDS/pid/5132.*

[4] ASHRAE standards are available for purchase online at: *www.techstreet.com/ashrae/.*

respectively. 76 FR 972, 1016–1017 (Jan. 6, 2011).

2. Updated Energy Efficiency Metric

On February 25, 2015, DOE published a test procedure NOPR for portable ACs that proposes the use of a revised CEER metric that accounts for energy consumption in each of the identified active, standby, and off modes: Cooling mode, heating mode, off-cycle mode, inactive mode, and off mode (hereafter referred to as the February 2015 PAC TP NOPR). 80 FR 10212. As discussed in section II.A of this notice, DOE is requesting input on including definitions for different operating modes in the definitions for room ACs. If such additional modes are included, DOE would also consider whether to revise the current room AC CEER metric to account for the energy use in them. In particular, DOE is interested in feedback on whether to consider including in the room AC CEER metric the same modes proposed for the portable AC metric, because of the similarity between the two products.

As a possible approach, DOE could consider the proposal in the February 2015 PAC TP NOPR, in which average power in each mode would be measured and then individually multiplied by the annual operating hours for its respective mode.

$AEC_i = P_i \times h_i \times k$

Where:

AEC_i is the annual energy consumption in each mode, in kilowatt-hours (kWh)/year;

P_i is the average power in each mode, in W;

h_i is the number of annual operating hours in each mode;

i designates the operating mode (''c'' cooling, ''h'' heating, ''oc'' off-cycle, and ''ia'' inactive or ''om'' off mode); and

k is 0.001 kWh/Wh conversion factor for Wh to kWh.

80 FR 10211, 10234 (Feb. 25, 2015).

In order to calculate AEC_i, DOE would need to define the annual operating hours for each mode. The current room AC test procedure specifies 750 hours for active cooling mode, and a total of 5,115 hours for inactive and off mode. (10 CFR part 430 appendix F to subpart B). DOE established these values in the January 2011 RAC TP Final Rule. DOE seeks input on mode hours for the complete set of operating modes that may be defined for room ACs.

To incorporate the new operating modes into a revised CEER metric, the February 2015 PAC TP NOPR proposed defining the new term; ''combined cooling mode EER'' ($CEER_C$).

$$CEER_C = \frac{ACC}{\left(\frac{AEC_C + AEC_T}{k \times t}\right)}$$

Where:

$CEER_C$ is the combined energy efficiency ratio in cooling mode, in Btu/Wh.

ACC is the adjusted cooling capacity, in Btu/h.

AEC_T is the total annual energy consumption attributed to all modes except cooling and heating, in kWh/year.

t is the number of hours per year, 8,760.

k is 0.001 kWh/Wh conversion factor for watt-hours to kilowatt-hours.

80 FR 10211, 10234 (Feb. 25, 2015).

The $CEER_C$ would be calculated for all units, including those with only cooling function and those with both cooling and heating functions. For units with cooling and heating functions, the metric would be calculated assuming heating mode is not used and therefore, the operating hours that would have been attributed to heating mode and other associated operating modes during the heating season would be neglected. In the February 2015 PAC TP NOPR, DOE proposed that the resulting $CEER_C$ is a meaningful metric for portable ACs without a heating function, and a basis for comparing cooling mode efficiency for units that include heating function, as well as a metric that could be compared to other cooling products, such as room ACs. *Id.*

To calculate the overall energy efficiency metric for portable ACs without a heating function, the February 2015 PAC TP NOPR proposed that the revised CEER would be directly equal to the unit's calculated $CEER_C$. However, for units with both cooling and heating mode, the revised overall CEER would be calculated as follows.

$$CEER = \frac{ACC \times \left(\frac{h_c}{h_c + h_h}\right) + AHC \times \left(\frac{h_h}{h_c + h_h}\right)}{\left(\frac{AEC_C + AEC_H + AEC_T}{k \times t}\right)}$$

Where:

CEER is the combined energy efficiency ratio, in Btu/Wh.

ACC is the adjusted cooling capacity, in Btu/h.

AHC is the adjusted heating capacity, in Btu/h.

AEC_T is the total annual energy consumption attributed to all modes except cooling and heating, in kWh/year.

h_c and h_h are the cooling and heating mode operating hours, respectively.

t is the number of hours per year, 8,760.

k is 0.001 kWh/Wh conversion factor for watt-hours to kilowatt-hours.

80 FR 10211, 10234–35 (Feb. 25, 2015).

Issue B.1 DOE seeks comment on the merits and/or limitations of revising the room AC test procedure and efficiency metric to account for energy consumption in various modes, which may include cooling mode, heating mode, off-cycle mode, inactive mode, off mode, or others.

Issue B.2 DOE requests data on annual operating hours for the room AC operating modes.

Issue B.3 DOE seeks comment on revising the room AC test procedure to require calculation of $CEER_C$ for all units, including those with only cooling function, and those with both cooling and heating functions.

Issue B.4 DOE seeks comment on revising the definition of CEER for room ACs to be consistent with definitions proposed in the February 2015 PAC TP NOPR.

3. Test Methods for Cooling Mode

The current room AC test procedure specifies that cooling mode performance be tested in accordance with the methods and conditions in ANSI/AHAM RAC–1–2008 and ANSI/ASHRAE 16–1983 (RA2009). (10 CFR part 430, appendix F to subpart B)

ANSI/ASHRAE reaffirmed the test standard 16–1983 most recently in 2014. ANSI/ASHRAE 16–1983 (R2014) specifies measuring cooling performance using a calorimeter method. DOE is aware, however, that ASHRAE is currently undertaking a revision to ANSI/ASHRAE 16–1983 (R2014) that is expected to allow cooling performance to be measured using an air enthalpy method similar to that specified in ANSI/ASHRAE 37–2009 ''Methods of Testing for Rating Electrically Driven Unitary Air-Conditioning and Heat Pump Equipment'' (ANSI/ASHRAE 37–2009).

Issue B.5 DOE seeks comment on the possible use of an air enthalpy method as an alternative to the current calorimeter method to measure cooling performance in the room AC test procedure.

Issue B.6 DOE requests test data comparing the performance and accuracy of the current calorimeter method to the air enthalpy method being considered in a revision to ANSI/ASHRAE 16–1983 (R2014).

Issue B.7 DOE requests information on the burdens associated with testing cooling performance using an air enthalpy method. Specifically DOE is interested in data related to the required capital investment costs, per-test costs, and testing time associated with air enthalpy testing. DOE is also interested in how these costs compare to those for the existing calorimeter method, and whether the burden for air enthalpy testing would disproportionately impact certain businesses.

4. Test Methods for Heating Mode

If DOE revises the room AC test procedure to require calculation of $CEER_h$ for models with reverse cycle, DOE would need to define a method for measuring heating performance. DOE is currently evaluating test methods that have been developed (or are proposed) for other residential or light commercial space cooling/heating appliances, such as portable ACs, packaged terminal ACs (PTACs), and packaged terminal heat pumps (PTHPs).

In the February 2015 PAC TP NOPR DOE proposed using an air enthalpy method to measure portable AC heating performance. The proposed method is based on AHAM PAC–1–2014 ''Portable Air Conditioners'' (AHAM PAC–1), which references test methods established in ANSI/ASHRAE Standard 37–2009. 80 FR 10211, 10217–10231 (Feb. 25, 2015). For this method, DOE proposed standard rating conditions for the evaporator (room) side and condenser (outdoor) side of dual-duct portable ACs as shown in Table II.1. DOE considers the test conditions in Table II.1 to be the most representative of typical heating mode use for portable ACs, which are likely used as supplemental or low-capacity heaters when a central heating system isn't necessary or operating. DOE notes that the terms ''evaporator'' and ''condenser'' refer to the heat exchanger configuration in cooling mode, not the reverse-cycle heating mode.

TABLE II.1—STANDARD RATING CONDITIONS FOR DUAL DUCT PACS—HEATING MODE

Evaporator inlet air degrees Fahrenheit (°F) (°Celsius (C))		Condenser inlet air °F (°C)	
Dry Bulb	Wet Bulb	Dry Bulb	Wet Bulb
70.0 (21.1)	60.0 (15.6)	47.0 (8.33)	43.0 (6.11)

In the current PTAC and PTHP test procedure (10 CFR 431.96), DOE also uses an air enthalpy method to measure heating mode performance. For this test procedure, DOE incorporates by reference in total the American Refrigeration Institute (ARI) Standard 310/380–2004 ''Standard for Packaged Terminal Air-Conditioners And Heat Pumps'' (ARI 310/380–2004).[5] ARI 310/380–2004 in turn references ANSI/ASHRAE Standard 58–1999 ''Methods of Testing Rating Room Air Conditioner and Packaged Terminal Air Conditioner Heating Capacity'' (ANSI/ASHRAE 58–1999) to rate the heating performance of both PTACs and PTHPs. AHR 310/380–2004 specifically notes that ''standard ratings relating to cooling capacity and heating capacity shall be net values, including the effects of circulating fan heat, but not including supplementary heat. Standard input ratings shall be the total power input to the compressor(s) and fans, plus controls and other items included as part of the model number(s).'' AHR 310/380–2004 provides methods to calculate heat pump heating capacities and energy consumption at both ''high-temperature'' and ''low-temperature'' operating conditions, but specifies that EER and coefficient of performance (COP) are only calculated for the high-temperature condition. Table II.2 summarizes the rating conditions for high- and low-temperature conditions.

TABLE II.2—STANDARD RATING CONDITIONS FOR PTHPS AND PTACS WITH REVERSE CYCLE CAPABILITY—HEATING MODE

Operating condition	Evaporator inlet air °F (°C)		Condenser inlet air °F (°C)	
	Dry Bulb	Wet Bulb	Dry Bulb	Wet Bulb
High-Temperature	70.0 (21.1)	60.0 (15.6) max	47.0 (8.3)	43.0 (6.1)
Low-Temperature	70.0 (21.1)	60.0 (15.6) max	17.0 (−8.3)	15.0 (−9.4)

Issue B.8 DOE seeks comment on appropriate test methods, external standards, and operating conditions for measuring heating performance in room ACs with reverse cycle. Specifically, DOE seeks comment on the high-temperature operating conditions specified in Table II.2. DOE also

[5] ARI 310/380–2004 is available online at: *www.ari.org/App_Content/ahri/files/standards%20pdfs/ANSI%20standards%20pdfs/ANSI.AHRI.CSA%20Standard%20310_380-2004.pdf.*

welcomes suggestions and supporting data for alternative methods.

Issue B.9 DOE requests information on the burdens associated with testing heating performance, using methods similar to ANSI/ASHRAE 58–1999 or ANSI/ASHRAE 37–2009, or other methods. Specifically DOE is interested in data related to the required capital investment costs, per-test costs, and testing time associate with sound testing. DOE also requests comment on whether this burden would disproportionately impact certain businesses.

5. Test Methods for Part Load Performance

In the January 2011 RAC TP Final Rule, DOE discussed that the test procedure established in that rule does not measure the benefits of technologies that improve part-load performance. 76 FR 972, 1016 (Jan. 6, 2011). The current room AC test procedure measures only the full-load performance at outdoor ambient conditions of 95 °F dry-bulb and 75 °F wet-bulb. Therefore, technologies that improve part-load performance, such as multiple-speed compressors and variable-opening expansion devices, will not improve the rated performance of a room AC under the current test procedure. In contrast, central ACs and heat pumps are rated with a seasonal energy efficiency ratio (SEER) descriptor, but the test procedure consists of multiple rating points at different conditions that add time and expense when rating the product.

DOE concluded in the January 2011 RAC TP Final Rule that widespread use of part-load technology in room ACs would not likely be stimulated by the development of a part-load metric at this time, and therefore, the significant effort required to develop an accurate part-load metric is not likely to be warranted by the expected minimal energy savings. 76 FR 972, 1016 (Jan. 6, 2011.

For the current test procedure rulemaking, DOE again intends to investigate the merits and limitations of revising the current room AC test procedure to account for any benefits of technologies that improve part-load performance. As part of this investigation, DOE expects to research the availability of room ACs on the market in the United States that incorporate variable speed compressors and other components and controls that would enable implementation of part-load operation.

Issue B.10 DOE seeks comment on the merits and/or limitations of revising the current room AC test procedure to account for benefit of technologies that improve part-load performance, and welcomes suggestions and supporting information for test methods that measure part-load operation.

Issue B.11 DOE seeks data and information on the prevalence of room ACs in the U.S. market that are capable of part-load operation.

6. Test Methods for Products That Operate on Multiple Voltages

DOE is aware that there are room ACs available in the United States that can operate on multiple voltages for the input power. These products may have a different capacity measured at each operating voltage. As a result, a single product may be categorized into two different product classes and therefore be required to comply with two different energy conservation standards, depending on which voltage is used to test the product. Currently, the room AC test procedure does not specify which voltage a product should be tested at, if it is capable of operating with multiple voltages.

Issue B.12 DOE seeks comment on how to test and certify products that may operate on multiple voltages. Specifically, DOE is interested in comment on how to treat products that may be categorized into two different product classes, depending on operating voltage.

7. Test Methods for ''Connected Products''

On February 20, 2015, the U.S. Environmental Protection Agency (EPA) published the Final Version 4.0 ''ENERGY STAR Product Specification for Room Air Conditioners.'' [6] Along with revised efficiency criteria, EPA specified an optional connected criteria for room ACs designed to provide enhanced functionality to consumers, such as alerts/messages, remote control, and energy information, as well as new demand response capabilities to support future smart grid interconnection. Products that meet these optional criteria and are certified using a future test method to validate the demand response capabilities could take advantage of a 5-percent energy use allowance for ENERGY STAR rating qualification.

DOE anticipates that the revised ENERGY STAR specification may increase the market penetration of ''connected products.'' It is possible that connected products may consume a significant amount of energy while performing these connected functions. As such, DOE is considering whether to amend the room AC test procedure and energy conservation standards to account for the energy consumed while the product performs connected functions.

Issue B.13 DOE requests information on ''connected'' room ACs that are already on the market in the United States. Specifically, DOE is interested in the available ''connected'' features, as well as the energy consumption while these features are active or awaiting commands.

Issue B.14 DOE request information on the current and anticipated market penetration of ''connected products.''

C. Market and Technology Assessment

The market and technology assessment provides information about the room AC industry that will be used throughout the rulemaking process. For example, this information will be used to determine whether the existing product class structure requires modification based on the statutory criteria for setting such classes and to explore the potential for technological improvements in the design and manufacturing of such products. DOE uses qualitative and quantitative information to characterize the structure of the room AC industry and market. DOE will identify and characterize the manufacturers of room ACs, estimate market shares and trends, address regulatory and non-regulatory initiatives intended to improve energy efficiency or reduce energy consumption, and explore the potential for technological improvements in the design and manufacturing of room ACs. DOE will also review product literature, industry publications, and company Web sites. Additionally, DOE will consider conducting interviews with manufacturers to assess the overall market for room ACs.

1. Product Classes

As required by EPCA, the criteria for separation into different classes are: (1) Type of energy used, or (2) capacity or other performance-related features such as those that provide utility to the consumer or others deemed appropriate by the Secretary that would justify the establishment of a separate energy conservation standard. (42 U.S.C. 6295 (q))

For room ACs, the NAECA amendments to EPCA, initially specified 12 product classes which were applicable to units designed for single-hung or double-hung window installation or through-thewall installation and based on the following

[6] Available online at *www.energystar.gov/products/spec/room_air_conditioner_specification_version_4_0_pd.*

criteria: (1) cooling capacity, in Btu/h; (2) the presence of louvered sides (LS); and (3) the capability of reverse cycle. (42 U.S.C. 6295(c)(1)). In the September 1997 Final Rule, DOE established an updated set of performance standards (effective October 1, 2000) which included four additional product classes. 62 FR 50122 (Sept. 24, 1997). In the April 2011 Direct Final Rule, DOE split Product Classes 5 and 8 into two product classes each. Former Product Class 5 (louvered, non-reverse-cycle, capacity of 20,000 Btu/h and higher) was split into Product Class 5A (louvered, non-reverse-cycle, capacity of 20,000 to 27,999 Btu/h) and Product Class 5B (louvered, non-reverse-cycle, capacity of 28,000 Btu/h and higher). Former Product Class 8 (non-louvered, non-reverse-cycle, capacity of 8,000 to 13,999 Btu/h) was split into Product Class 8A (non-louvered, non-reverse-cycle, capacity of 8,000 to 10,999 Btu/h) and Product Class 8B (nonlouvered, non-reverse-cycle, capacity of 11,000 to 13,999 Btu/h). 76 FR 22454 (Apr. 21, 2011). Table II.3 lists the current 18 product classes for room ACs.

TABLE II.3—CURRENT ROOM AIR CONDITIONER PRODUCT CLASSES

Without reverse cycle and with louvered sides
1. Less than 6,000 Btu/h.
2. 6,000 to 7,999 Btu/h.
3. 8,000 to 13,999 Btu/h.
4. 14,000 to 19,999 Btu/h.
5A. 20,000 to 27,999 Btu/h.
5B. 28,000 Btu/h or more.
Without reverse cycle and without louvered sides
6. Less than 6,000 Btu/h.
7. 6,000 to 7,999 Btu/h.
8A. 8,000 to 10,999 Btu/h.
8B. 11,000 to 13,999 Btu/h.
9. 14,000 to 19,999 Btu/h.
10. 20,000 Btu/h or more
With reverse cycle
11. With louvered sides and less than 20,000 Btu/h.
12. Without louvered sides and less than 14,000 Btu/h.
13. With louvered sides and 20,000 Btu/h or more.
14. Without louvered sides and 14,000 Btu/h or more.
Casement
15. Casement-Only.
16. Casement-Slide.

Issue C.1 DOE requests feedback on the current room AC product classes and seeks information regarding any other product classes it should consider for inclusion in its analysis.

2. Technology Assessment

DOE uses information about existing and past technology options and prototype designs to help identify technologies that manufacturers could use to meet and/or exceed energy conservation standards. In consultation with interested parties, DOE intends to develop a list of technologies to consider in its analysis. Initially, this list will include a subset of the technology options considered during the most recent room AC energy conservation standards rulemaking. These technologies are listed in Table II.4.

DOE is aware that certain technologies listed in Table II.4 may have progressed since the April 2011 Direct Final Rule. Specifically, at the time of that analysis, the room AC industry was responding to the EPA-mandated phase-out of HFC–22 refrigerant. 74 FR 66412, 66418 (Dec. 15, 2009). This rule led to an industry changeover to R–410A refrigerant. Manufacturers expressed concern at the time over the availability of R–410A compressors, stating that production capacity of compressor suppliers had not fully rebounded and compressor suppliers had yet to offer the same range of compressor capacities and efficiency tiers (See chapter 12 of the direct final rule technical support document (TSD).). Consequently, DOE plans to investigate improvements in R–410A compressors that may have come available since the April 2011 Direct Final Rule.

Additionally, in the April 2011 Direct Final Rule, DOE investigated the technological feasibility of the alternative refrigerant R–407C. 76 FR 22490 (April 21, 2011). For this rulemaking, DOE may reevaluate R–407C, as well as other hydrofluorocarbon (HFC) and hydrocarbon (HC) refrigerants.

Furthermore, DOE is aware that three new refrigerants have been approved for use in room air conditioners by the EPA under the Significant New Alternatives Program (SNAP), subject to certain use conditions: R–290, R–441A and R–32.80 FR 19454 (Apr. 10, 2015). For this rulemaking, DOE plans to investigate the technological feasibility of these refrigerants.

TABLE II.4—TECHNOLOGY OPTIONS FOR ROOM AIR CONDITIONERS

	Technology passed to screening analysis in April 2011 direct final rule?
Increased heat transfer surface area	
1. Increased frontal coil area	Yes.
2. Increased depth of coil (add tube rows)	Yes.
3. Increased fin density	Yes.
4. Add subcooler to condenser coil	Yes.
Increased Heat Transfer Coefficients	
5. Improved fin design	Yes.
6. Improved tube design	Yes.
7. Hydrophilic-film coating on fins	Yes.

TABLE II.4—TECHNOLOGY OPTIONS FOR ROOM AIR CONDITIONERS—Continued

	Technology passed to screening analysis in April 2011 direct final rule?
8. Spray condensate onto condenser coil	Yes.
9. Microchannel heat exchangers	Yes.
Component Improvements	
10. Improved indoor blower and outdoor fan efficiency	Yes.
11. Improved blower/fan motor efficiency	Yes.
12. Improved compressor efficiency	Yes.
Part-Load Technology Improvements	
13. Two-speed, variable-speed, or modulating-capacity compressors	Yes.
14. Thermostatic or electronic expansion valves	Yes.
15. Thermostatic cyclic controls	Yes.
Standby Power Improvements	
16. Switching Power Supply	Yes.
Refrigeration System Options	
17. Alternative Refrigerants (R–407C)	No.
18. Suction-Line Heat Exchanger	No.

Issue C.2 DOE seeks information related to the technologies listed in Table II.4 or other technologies as to their applicability to the current market and how these technologies improve efficiency of room ACs as measured according to the DOE test procedure.

Issue C.3 DOE seeks information related to efficiency improvements in R–410A compressors since the April 2011 Direct Final Rule, their applicability and/or penetration in the current market, and how the compressors improve efficiency of room ACs as measured according to the DOE test procedure.

Issue C.4 DOE seeks information related to the alternative HFC and HC refrigerants, including propane. Specifically, DOE seeks information on the availability of such refrigerants, and, their applicability and/or penetration in the current market, and how these refrigerants improve efficiency of room ACs as measured according to the DOE test procedure.

D. Screening Analysis

The purpose of the screening analysis is to evaluate the technologies that improve equipment efficiency to determine which technologies will be eliminated from further consideration and which will be passed to the engineering analysis for further consideration.

Appendix A to subpart C of Title 10 of the Code of Federal Regulations, Part 430 (10 CFR part 430), ''Procedures, Interpretations and Policies for Consideration of New or Revised Energy Conservation Standards for Consumer Products'' (the Process Rule), sets forth procedures to guide DOE in its consideration and promulgation of new or revised equipment energy conservation standards. These procedures elaborate on the statutory criteria provided in 42 U.S.C. 6295(o) and, in part, eliminate problematic technologies early in the process of prescribing or amending an energy efficiency standard. In particular, sections 4(b)(4) and 5(b) of the Process Rule guide DOE in determining whether to eliminate from consideration any technology that presents unacceptable problems with respect to the following criteria:

(1) Technological feasibility. Technologies incorporated in commercial equipment or in working prototypes will be considered technologically feasible.

(2) Practicability to manufacture, install, and service. If mass production of a technology in commercial equipment and reliable installation and servicing of the technology could be achieved on the scale necessary to serve the relevant market at the time of the effective date of the standard, then that technology will be considered practicable to manufacture, install, and service.

(3) Impacts on equipment utility or equipment availability. If a technology is determined to have significant adverse impact on the utility of the equipment to significant subgroups of consumers, or result in the unavailability of any covered equipment type with performance characteristics (including reliability), features, sizes, capacities, and volumes that are substantially the same as equipment generally available in the United States at the time, it will not be considered further.

(4) Adverse impacts on health or safety. If it is determined that a technology will have significant adverse impacts on health or safety, it will not be considered further.

Technology options developed in the technology assessment are evaluated against these criteria using DOE analyses and inputs from manufacturers, trade organizations, and energy efficiency advocates. Technologies that pass through the screening analysis are referred to as ''design options'' in the engineering analysis. Technology options that fail to meet one or more of the four criteria are eliminated from consideration.

As a part of the screening analysis, DOE has identified three specific

consumer-oriented issues that it seeks input on. These issues are weight limits, chassis size limits, and acoustic noise. The following three subsections provide further details on these issues.

1. Weight Limits

In the April 2011 Direct Final Rule analysis DOE limited the total weight of the Product Class 1 (as defined in Table II.3) baseline unit to 50 pounds, to avoid exceeding Occupational Safety and Health Administration (OSHA) and National Institute of Occupational Safety and Health (NIOSH) guidelines for single-person lifting.[7] DOE did not consider limiting the weight of the other analyzed product classes because baseline units in those product classes already exceeded this weight limit.

Issue D.1 DOE seeks input on the merits and/or limitations of maintaining a 50-pound limit for room ACs in Product Class 1. DOE also welcomes suggestions and supporting analysis for alternative weight limits.

Issue D.2 DOE seeks input on whether to consider weight limits for product classes other than Product Class 1 in the room AC analysis. DOE also welcomes suggestions and data for additional product class-specific weight limits.

2. Chassis Size Limits

In the April 2011 Direct Final Rule analysis, DOE used a methodology that established maximum chassis widths and heights for each product class, when considering a baseline unit. DOE established these limits based on the dimensions of the largest R–410A room AC in each product class on the market. DOE did not set a limit for maximum chassis depth in that analysis.

Issue D.3 DOE seeks input on potentially establishing chassis size limits as part of a design option analysis. DOE also welcomes suggestions and supporting analysis for alternative chassis size limits.

Issue D.4 DOE seeks input on any factors that may help define chassis dimension limits beyond the dimensions of room ACs currently on the market in the United States. Specifically DOE welcomes data on the distribution of window widths and heights in U.S. residences.

3. Acoustic Noise

DOE understands that increased noise levels might occur as room ACs attain higher levels of efficiency. Certain technology options, such as higher speed fans, can facilitate increased heat transfer and improved efficiency, but may result in increased acoustic noise. As a part of the screening analysis, DOE intends to investigate this relationship, specifically as it relates to impacts on consumer utility. As such DOE seeks input on test methods appropriate to objectively evaluate acoustic noise in room ACs.

DOE is aware that the European Union (EU), through its EcoDesign regulations, recently instituted maximum sound power levels for room ACs assessed under EN 12102:2013 ''Air Conditioners, liquid chilling packages, heat pumps and dehumidifiers with electrically driven compressors for space heating and cooling—Measurement of airborne noise—Determination of sound power levels'' (EN 12102:2013). Under the new EU regulation, room ACs may not exceed indoor sound power levels of 60 decibels (dB)(A) and outdoor sound power levels of 60dB(A).

Similarly, the October 28, 2014 EPA Draft 1 of Version 4.0 ''ENERGY STAR Product Specification for Room Air Conditioners'' [8] proposed that measured indoor sound power level shall not exceed 60dB(A), as measured using EN 12102:2013. In response to stakeholder comment, the EPA chose to remove the sound performance criteria in its February 20, 2015 Final Version 4.0 of ''ENERGY STAR Product Specification for Room Air Conditioners.'' [9] Stakeholders identified the lack of availability of test chambers and the burden of both building capacity for testing and sound power testing as one barrier to the inclusion of sound performance in an ENERGY STAR specification.

Issue D.5 DOE requests suggestions for test methods that are appropriate to objectively evaluate acoustic noise in room ACs.

Issue D.6 DOE requests information on the relationship between acoustic noise, in dB(A), or other appropriate units, and consumer satisfaction.

Issue D.7 DOE requests feedback and data on how the design options presented in section II.C impact room AC acoustic noise.

E. Engineering Analysis

The engineering analysis estimates the cost-efficiency relationship of products at different levels of increased energy efficiency (''efficiency levels''). This relationship serves as the basis for the cost-benefit calculations for consumers, manufacturers, and the nation. In determining the cost-efficiency relationship, DOE estimates the change in manufacturer cost associated with increasing the efficiency of products above the baseline, up to the maximum technologically feasible (''max-tech'') efficiency level for each product class.

DOE historically has used the following three methodologies to generate incremental manufacturing costs and establish efficiency levels (ELs) for analysis: (1) The design-option approach, which provides the incremental costs of adding to a baseline model design options that will improve its efficiency; (2) the efficiency-level approach, which provides the relative costs of achieving increases in energy efficiency levels, without regard to the particular design options used to achieve such increases; and (3) the cost-assessment (or reverse engineering) approach, which provides ''bottom-up'' manufacturing cost assessments for achieving various levels of increased efficiency, based on detailed data as to costs for parts and material, labor, shipping/packaging, and investment for models that operate at particular efficiency levels.

1. Baseline Models

For each established product class, DOE selects a baseline model as a reference point against which any changes resulting from energy conservation standards can be measured. The baseline model in each product class represents the characteristics of common or typical products in that class. Typically, a baseline model is one that meets the current minimum energy conservation standards.

2. Baseline Efficiency Levels

DOE tentatively plans to consider the current minimum energy conservations standards (which went into effect June 1, 2014) to establish the baseline efficiency levels for each product class. Table II.5 presents the current energy conservation standards for room ACs. If DOE amends the room AC test procedure to provide an efficiency metric other than the current CEER, DOE will adjust the CEER baseline levels to account for the new metric.

[7] NIOSH guideline: *http://www.cdc.gov/niosh/docs/2007-131/.*

OSHA guideline: *https://www.osha.gov/SLTC/etools/electricalcontractors/materials/heavy.html.*

[8] Available online at *www.energystar.gov/products/spec/room_air_conditioner_specification_version_4_0_pdf.*

[9] Id.

TABLE II.5—CURRENT ENERGY CONSERVATION STANDARDS FOR ROOM AIR CONDITIONERS

Product class	CEER, effective as of June 1, 2014
1. Without reverse cycle, with louvered sides, and less than 6,000 Btu/h	11.0
2. Without reverse cycle, with louvered sides, and 6,000 to 7,999 Btu/h	11.0
3. Without reverse cycle, with louvered sides, and 8,000 to 13,999 Btu/h	10.9
4. Without reverse cycle, with louvered sides, and 14,000 to 19,999 Btu/h	10.7
5A. Without reverse cycle, with louvered sides, and 20,000 to 27,999 Btu/h	9.4
5B. Without reverse cycle, with louvered sides, and 28,000 Btu/h or more	9.0
6. Without reverse cycle, without louvered sides, and less than 6,000 Btu/h	10.0
7. Without reverse cycle, without louvered sides, and 6,000 to 7,999 Btu/h	10.0
8A. Without reverse cycle, without louvered sides, and 8,000 to 10,999 Btu/h	9.6
8B. Without reverse cycle, without louvered sides, and 11,000 to 13,999 Btu/h	9.5
9. Without reverse cycle, without louvered sides, and 14,000 to 19,999 Btu/h	9.3
10. Without reverse cycle, without louvered sides, and 20,000 Btu/h or more	9.4
11. With reverse cycle, with louvered sides, and less than 20,000 Btu/h	9.8
12. With reverse cycle, without louvered sides, and less than 14,000 Btu/h	9.3
13. With reverse cycle, with louvered sides, and 20,000 Btu/h or more	9.3
14. With reverse cycle, without louvered sides, and 14,000 Btu/h or more	8.7
15. Casement-Only	9.5
16. Casement-Slider	10.4

Issue E.1 DOE requests comment on approaches that it should consider when determining the baseline efficiency levels for each product class, including information regarding the merits and/or limitations of such approaches.

3. Higher Efficiency Levels

For each product class, DOE will define efficiency levels beyond the baseline and develop incremental manufacturing cost data for each efficiency level. To define the efficiency levels, DOE tentatively plans to evaluate potential efficiency improvements from available design options and consider voluntary certification program levels such as ENERGY STAR and Consortium for Energy Efficiency's (CEE) Super Efficient Home Appliance Initiative (SEHA). The current ENERGY STAR and CEE voluntary certification levels are presented in Table II.6.

TABLE II.6—CURRENT ENERGY STAR AND CEE SEHA LEVELS FOR ROOM AIR CONDITIONERS

Product class	Oct. 2013 ENERGY STAR (CEER)	Oct. 2013 ENERGY STAR (EER)	SEHA Tier 1 (EER)*	SEHA Tier 2 (EER)*
1. Without reverse cycle, with louvered sides, and less than 6,000 Btu/h	11.0	11.2	11.2	11.6
2. Without reverse cycle, with louvered sides, and 6,000 to 7,999 Btu/h	11.0	11.2	11.2	11.6
3. Without reverse cycle, with louvered sides, and 8,000 to 13,999 Btu/h	11.2	11.3	11.3	11.8
4. Without reverse cycle, with louvered sides, and 14,000 to 19,999 Btu/h	11.1	11.2	11.2	11.6
5a. Without reverse cycle, with louvered sides, and 20,000 to 27,999 Btu/h	9.8	9.8	†9.8	†10.2
5b. Without reverse cycle, with louvered sides, and 28,000 Btu/h or more	9.8	9.8	†9.8	†10.2
6. Without reverse cycle, without louvered sides, and less than 6,000 Btu/h	10.2	10.4	.....	.....
7. Without reverse cycle, without louvered sides, and 6,000 to 7,999 Btu/h	10.2	10.4	.....	.....
8a. Without reverse cycle, without louvered sides, and 8,000 to 10,999 Btu/h	9.7	9.8	.....	.....
8b. Without reverse cycle, without louvered sides, and 11,000 to 13,999 Btu/h	9.7	9.8	.....	.....
9. Without reverse cycle, without louvered sides, and 14,000 to 19,999 Btu/h	9.7	9.8	.....	.....
10. Without reverse cycle, without louvered sides, and 20,000 Btu/h or more	**9.7	**9.8	.....	.....
11. With reverse cycle, with louvered sides, and less than 20,000 Btu/h	10.3	10.4	.....	.....
12. With reverse cycle, without louvered sides, and less than 14,000 Btu/h	9.7	9.8	.....	.....
13. With reverse cycle, with louvered sides, and 20,000 Btu/h or more	9.8	9.8	.....	.....
14. With reverse cycle, without louvered sides, and 14,000 Btu/h or more	9.1	9.2	.....	.....
15. Casement-Only	9.9	10	.....	.....
16. Casement-Slider	10.8	10.9	.....	.....

* Note that CEE SEHA does not specify tier levels in CEER, and tier levels are only specified for units in classes 1–5b.

** ENERGY STAR requires that units with cooling capacity greater or equal 28,000 Btu/h achieve 9.8 CEER. The aforementioned capacity range is part of product class 10 in the current rule.[10]

† The CEE SEHA room air conditioner specification defines two capacity ranges that cover the same range as product classes 5a and 5b: 20,000 Btu/h to 24,999 Btu/h or greater than 25,000 Btu/h. These do not match the capacity ranges defined by DOE: 20,000 Btu/h to 27,999 Btu/h or greater than 28,000 Btu/h.[11]

Issue E.2 DOE seeks input concerning efficiency levels to analyze for room ACs. Specifically, DOE seeks

[10] ENERGY STAR guidelines are available at: *www.energystar.gov/sites/default/files/specs/ENERGY%20STAR%20Version%203.1%20Room%20Air%20Conditioner%20Program%20Requirements.pdf*.

[11] CEE SEHA room air conditioner guidelines are available at: *http://library.cee1.org/sites/default/files/library/9296/CEE_ResApp_RoomAirConditionerSpecification_2003_Updated_Again.pdf*.

information that may guide the definition of efficiency levels, including any additional voluntary certification programs or relevant foreign standards or programs.

Issue E.3 DOE seeks input on appropriate maximum technologically feasible efficiency levels and the basis for why those levels should be selected.

F. Markups Analysis

To carry out the life-cycle cost (LCC) and payback period (PBP) calculations, DOE needs to determine the cost to the residential consumer of baseline products that satisfies the currently applicable standards, and the cost of the more-efficient unit the consumer would purchase under potential amended standards. By applying a multiplier called a ''markup'' to the manufacturer's selling price, DOE is able to estimate the residential consumer's price.

For the April 2011 Direct Final Rule, DOE based the distribution channels on data from AHAM. For room ACs, the main actors are manufacturers and retailers. Thus, DOE analyzed a manufacturer-to-consumer distribution channel consisting of three parties: (1) The manufacturers producing the products; (2) the retailers purchasing the products from manufacturers and selling them to consumers; and (3) the consumers who purchase the products. DOE plans to use the same approach in the current rulemaking.

As was done in the last rulemaking and consistent with the approach followed for other energy consuming products, DOE will determine an average manufacturer markup by examining the annual Securities and Exchange Commission (SEC) 10–K reports filed by publicly traded manufacturers of appliances whose product range includes room ACs. DOE will determine an average retailer markup by analyzing both economic census data from the U.S. Census Bureau and the annual SEC 10–K reports filed by publicly traded retailers.

In addition to developing manufacturer and retailer markups, DOE will develop and include sales taxes to calculate appliance retail prices. DOE will use an Internet source, the Sales Tax Clearinghouse, to calculate applicable sales taxes.

Issue F.1 DOE seeks input from stakeholders on whether the distribution channels described above are still relevant for room ACs. DOE also welcomes comments concerning its proposed approach to developing estimates of markups for room ACs.

Issue F.2 DOE seeks recent data to establish the markups for the parties involved with the distribution of the product addressed in this notice.

G. Energy Use Analysis

The purpose of the energy use analysis is to assess the energy savings potential of different product efficiencies. DOE uses the annual energy consumption and energy-savings potential in the LCC and PBP analyses to establish the savings in consumer operating costs at various product efficiency levels. In contrast to the DOE test procedure, which provides a measure of the energy use, energy efficiency or annual operating cost of a covered product during a representative average use cycle, the energy use analysis seeks to capture the range of operating conditions for room ACs in U.S. homes.

To determine the field energy use of products that would meet possible standard levels, DOE proposes to use data from the Energy Information Administration's (EIA's) 2009 *Residential Energy Consumption Survey* (RECS), or the most recent such survey available from EIA.[12] RECS is a national sample survey of housing units that collects statistical information on the consumption of and expenditures for energy in housing units along with data on energy-related characteristics of the housing units and occupants.

For the April 2011 Direct Final Rule, DOE used the data reported by RECS on the annual energy consumption (field energy consumption) for room air conditioning. The reported end-use quantities were not based on metering of individual appliances; rather, EIA used a regression technique to estimate how much of the total annual electricity consumption for each household can be attributed to each end-use category. The reported field energy consumption refers to the consumption of all of the room ACs in a home. RECS also reports the number of room ACs in the home. To estimate the energy consumption of a single room AC for this rulemaking, DOE divided the room AC energy use reported in RECS by the reported number of room ACs. For houses with both central air conditioning and room air conditioning, DOE scaled the energy use by using a relative use factor. Although in reality the utilization of each of the room ACs in a home may vary, the RECS data does not allow DOE to estimate such variation.

In the April 2011 Direct Final Rule, DOE estimated that, based on stakeholder input, 12-percent of room AC shipments were utilized in commercial building applications. The *Energy Information Administration's Commercial Buildings Energy Consumption Survey* (CBECS) [13] does not report annual energy consumption for room air conditioning, so DOE estimated the energy consumption using variables specific to each building in the sample and data on cooling degree-days. For this rulemaking, DOE is considering using the same methodology to estimate energy use in commercial building applications.

DOE requests comment or seeks input from stakeholders on the following issues pertaining to the energy use analysis:

Issue G.1 DOE requests stakeholder input regarding the impact of changes in CEER on cooling energy savings.

Issue G.2 Data sources that DOE can use to characterize the variability in annual energy consumption of room ACs.

Issue G.3 DOE requests stakeholder comment on whether a significant enough percentage of residential room ACs are utilized in commercial buildings to warrant considering their use in commercial applications.

H. Life-Cycle Cost and Payback Period Analysis

The purpose of the LCC and PBP analysis is to analyze the effects of potential amended energy conservation standards on consumers of residential room AC products by determining how a potential amended standard affects the consumers' operating expenses (usually decreased) and total installed costs (usually increased).

DOE intends to analyze data input variability and uncertainty by performing the LCC and PBP calculations on a representative sample of households from RECS and commercial buildings from CBECS for the considered product classes using Monte Carlo simulation and probability distributions. The analysis results are a distribution of results showing the range of LCC savings and PBPs for a given efficiency level relative to the baseline level.

Inputs to the LCC and PBP analysis are categorized as: (1) Inputs for establishing the purchase expense, otherwise known as the total installed cost, and (2) inputs for calculating the operating expense. The primary inputs for establishing the total installed cost are the baseline consumer price, standard-level consumer price increases, and installation costs. Baseline consumer prices and standard-

[12] For information on RECS, see *http://www.eia.doe.gov/emeu/recs/.*

[13] For information on CBECS, see *http://www.eia.gov/consumption/commercial/about.cfm.*

level consumer price increases will be determined by applying markups to manufacturer price estimates. The installation cost is added to the consumer price to arrive at a total installed cost.

In the April 2011 Direct Final Rule, DOE derived the installation costs from room AC data in RS Means. 76 FR 22454 (Apr. 21, 2011). DOE plans to use similar data sources for this rulemaking, with adjustments to reflect current-day labor and material prices as well as to scale installation cost for higher-efficiency products based on equipment weight and/or dimensions.

Issue H.1 DOE seeks input on whether room AC installation costs will scale with equipment weight and/or dimensions.

The primary inputs for calculating the operating costs are product energy consumption, product efficiency, electricity prices and forecasts, maintenance and repair costs, product lifetime, and discount rates.

Repair costs are associated with repairing or replacing components that have failed in the appliance, whereas maintenance costs are associated with maintaining the operation of the equipment. In the April 2011 Direct Final Rule, DOE assumed a maintenance increase for the higher-capacity units due to more expensive product cost but no maintenance differences with higher efficiency units. 76 FR 22454 (Apr. 21, 2011).

Issue H.2 DOE seeks stakeholder input on the appropriateness to assume that changes in maintenance costs will be negligible for more-efficient products.

Repair costs are costs associated with a major repair during the lifetime of the product. In the April 2011 Direct Final Rule, DOE determined the costs of major repairs (*e.g.,* compressor replacement) from RS Means and industry literature. 76 FR 22454 (Apr. 21, 2011). DOE also assumed that repair costs vary in direct proportion with the product price at higher efficiency levels as replacement costs for more-efficient components are likely to be greater than components in baseline products. *Id.*

Issue H.3 DOE seeks stakeholder comment on the assumption that repair costs vary in direct proportion to product price and unit capacity.

DOE measures LCC and PBP impacts of potential standard levels relative to a base case that reflects the market in the absence of amended standards. DOE plans to develop market-share efficiency data (*i.e.,* the distribution of product shipments by efficiency) for the product classes DOE is considering, for the year in which compliance with any amended or new standards would be required. By accounting for consumers who already purchase more efficient products, DOE avoids overstating the potential benefits from potential standards.

Issue H.4 DOE seeks stakeholder input and data on the fraction of room ACs that are sold above the minimum energy efficiency standards. DOE also requests information on expected trends in product efficiency over the next 5 years.

I. Shipments Analysis

DOE uses shipment projections by product class and efficiency level in its analysis of the national impacts of potential standards, as well as in the manufacturer impact analysis.

In the April 2011 Direct Final Rule, DOE developed a shipments model for room ACs driven by historical shipments data, which were used to build up a product stock and calibrate the shipments model. 76 FR 22454 (Apr. 21, 2011). Shipments of each product class were projected for two market sectors that use these products: residential and commercial sectors.

Issue I.1 DOE seeks stakeholder input and data showing the distribution of shipments by product class, and market sector.

In the April 2011 Direct Final Rule, DOE modeled the decision to repair or replace equipment for existing owners and the impact that decision would have on the shipments model. 76 FR 22454 (Apr. 21, 2011). DOE investigated how increases in product purchase price and decreases in product operating costs due to standards impact product shipments.

Issue I.2 DOE seeks input and data on factors that influence a consumer's decisions to repair or replace failed products. In particular, DOE is seeking historical repair cost data as a function of efficiency.

J. National Impact Analysis

The purpose of the national impact analysis (NIA) is to estimate aggregate impacts of potential efficiency standards at the national level. Impacts reported by DOE include the national energy savings (NES) from potential standards and the national net present value (NPV) of the total consumer benefits. The NIA considers lifetime impacts of potential standards on room ACs shipped in a 30-year period that begins with the expected compliance date for new or amended standards.

To develop the NES, DOE calculates annual energy consumption of products in residential and commercial building stock for the base case and each standards case. To develop the national NPV of consumer benefits from potential standards, DOE calculates national annual energy expenditures and annual product expenditures for the base case and the standards cases. DOE calculates total annual energy expenditures using data on annual energy consumption in each case, forecasted average annual energy prices, and shipment projections. The difference each year between operating cost savings and increased product expenditures is the net savings or net costs.

A key component of DOE's estimates of NES and NPV is the product energy efficiency forecasted over time for the base case and for each of the standards cases. In the April 2011 Direct Final Rule, DOE based projections of base-case shipment-weighted efficiency (SWEF) for the room AC product classes on growth rates determined from historical data provided by AHAM. 76 FR 22454 (Apr. 21, 2011). For this rulemaking, DOE plans on considering recent trends in efficiency and input from stakeholders to update product energy efficiency forecasts.

Issue J.1 DOE seeks historical SWEF data for room ACs by product class and stakeholder input regarding future trends in efficiency.

K. Manufacturer Impact Analysis

The purpose of the manufacturer impact analysis (MIA) is to estimate the financial impact of potential energy conservation standards on manufacturers of room ACs and to evaluate the potential impact of such standards on employment and manufacturing capacity. The MIA includes both quantitative and qualitative aspects. The quantitative part of the MIA primarily relies on the Government Regulatory Impact Model (GRIM), an industry cash-flow model used to estimate a range of potential impacts on manufacturer profitability. The qualitative part of the MIA addresses a proposed standard's potential impacts on manufacturing capacity and industry competition, as well as factors such as product characteristics, impacts on particular subgroups of firms, and important market and product trends.

As part of the MIA, DOE intends to analyze impacts of potential energy conservation standards on small business manufacturers of covered products. DOE intends to use the Small Business Administration's (SBA) small business size standards to determine whether manufacturers qualify as small businesses. The size standards are listed by North American Industry Classification System (NAICS) code and

industry description.[14] Manufacturing of room ACs can be classified under either NAICS 333415, ''Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing'' or NAICS 335228, ''Other Major Household Appliance Manufacturing.'' The SBA sets a threshold of 750 or 500 employees or less for an entity to be considered as a small business for these categories. These employee threshold would include all employees in a business's parent company and any other subsidiaries.

DOE used publically available information to attempt to identify any small business that manufactures room ACs. DOE cross-referenced the manufacturers listed in DOE's Compliance Certification Management System (CCMS) with individual company Web sites and market research tools (*e.g.,* Hoovers reports). DOE's initial research indicates that no small businesses currently manufacture room ACs.

Issue K.1 DOE requests comment on any small business manufacturers of room ACs that it should consider in its analysis.

III. Submission of Comments

DOE invites all interested parties to submit in writing by August 3, 2015, comments and information on matters addressed in this notice and on other matters relevant to DOE's consideration of new or amended energy conservations standards for room ACs. After the close of the comment period, DOE will begin collecting data, conducting the analyses, and reviewing the public comments, as needed. These actions will be taken to aid in the development of a NOPR for room ACs if DOE decides to amend the standards for such products.

DOE considers public participation to be a very important part of the process for developing test procedures and energy conservation standards. DOE actively encourages the participation and interaction of the public during the comment period in each stage of the rulemaking process. Interactions with and between members of the public provide a balanced discussion of the issues and assist DOE in the rulemaking process. Anyone who wishes to be added to the DOE mailing list to receive future notices and information about this rulemaking or would like to request a public meeting should contact Ms. Brenda Edwards at (202) 586–2945, or via email at *Brenda.Edwards@ee.doe.gov.*

Issued in Washington, DC, on June 9, 2015.

Kathleen B. Hogan,

Deputy Assistant Secretary for Energy Efficiency, Energy Efficiency and Renewable Energy.

[FR Doc. 2015–15001 Filed 6–17–15; 8:45 am]

BILLING CODE 6450–01–P

[14] Available online at: *www.sba.gov/sites/default/files/Size_Standards_Table.pdf.*

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2014–1074; Airspace Docket No. 14–ASW–10]

Proposed Amendment of Class E Airspace; El Paso, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Class E airspace at El Paso, TX. The closure of West Texas Airport has made this action necessary for continued safety and management within the National Airspace System. Additionally, the geographic coordinates for El Paso International Airport and Biggs Army Airfield (AAF) would be adjusted.

DATES: Comments must be received on or before August 3, 2015.

ADDRESSES: Send comments on this proposal 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; telephone (202) 366–9826. You must identify the docket number FAA–2014–1074/Airspace Docket No. 14–ASW–10, at the beginning of your comments. You may also submit comments through the Internet at *http://www.regulations.gov.* You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. The Docket Office telephone 1–800–647–5527 is on the ground floor of the building at the above address.

FAA Order 7400.9Y, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *http://www.faa.gov/air_traffic/publications/.* The Order is also available for inspection 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/code_of_federal-regulations/ibr_locations.html.*

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15. For further information, you can contact the Airspace Policy and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202–267–8783.

FOR FURTHER INFORMATION CONTACT: Rebecca Shelby, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone: 817–321–7740.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part, A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend Class E airspace at West Texas Airport, El Paso, TX.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. FAA–2014–1074 and

Airspace Docket No. 14–ASW–10.'' The postcard will be date/time stamped and returned to the commenter.

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/airports_airtraffic/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 **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 during normal business hours at the office of the Central Service Center, 2601 Meacham Blvd., Fort Worth, TX 76137.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking (202) 267–9677, to request a copy of Advisory Circular No. 11–2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

Availability and Summary of Documents Proposed for Incorporation by Reference

This document proposes to amend FAA Order 7400.9Y, Airspace Designations and Reporting Points, dated August 6, 2014, and effective September 15, 2014. FAA Order 7400.9Y is publicly available as listed in the **ADDRESSES** section of this proposed rule. FAA Order 7400.9Y lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to Title 14, Code of Federal Regulations (14 CFR), Part 71 by removing Class E airspace extending upward from 700 feet above the surface at West Texas Airport, El Paso, TX. This action is necessary due to the closure of the airport; therefore controlled airspace is no longer needed. Additionally, geographic coordinates for El Paso International Airport, would be changed from (lat. 31°48′24″ N., long. 106°22′40″ W.) to (lat. 31°50′59″ N., long. 106°22′48″ W.); and Biggs AAF coordinates would be changed from (lat. 31°50′58″ N., long. 106°22′48″ W.) to (lat. 31°50′59″ N., long. 106°22′48″ W.). These minor adjustments would reflect the current information in the FAA's aeronautical database.

Class E airspace designations are published in paragraph 6005, of FAA Order 7400.9Y, dated August 6, 2014, and effective September 15, 2014, 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 rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

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

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

The Proposed Amendment

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 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9Y, Airspace Designations and Reporting Points, dated August 6, 2014, and effective September 15, 2014 is amended as follows:

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

* * * * *

14ASW TX E5 El Paso, TX [Amended]

Biggs AAF, (Fort Bliss)
(lat. 31°50′59″ N., long. 106°22′48″ W.).
El Paso International Airport, TX
(lat. 31°48′26″ N., long. 106°22′35″ W.)
El Paso VORTAC
(lat. 31°48′57″ N., long. 106°16′55″ W.).

Class E airspace extending upward from 700 feet above the surface within a 9.1-mile radius of Biggs AAF, and within a 8.4-mile radius of El Paso International Airport, and within 2 miles each side of the 050° bearing from El Paso International Airport extending from the 8.4-mile radius to 13 miles northeast of the airport, and within 1.6 miles each side of the 093° radial of the El Paso VORTAC extending from the 8.4-mile radius to 7.3 miles east of the VORTAC.

Issued in Fort Worth, TX on June 9, 2015.

Robert W. Beck,

Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2015–14810 Filed 6–17–15; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–132634–14]

RIN 1545–BM43

Qualifying Income From Activities of Publicly Traded Partnerships With Respect to Minerals or Natural Resources; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Proposed rule; Correction.

SUMMARY: This document contains corrections to a notice of proposed rulemaking (REG–132634–14) that was published in the **Federal Register** on Wednesday, May 6, 2015 (80 FR 25970). The proposed rules provide guidance on qualifying income from exploration, development, mining or production, processing, refining, transportation, and marketing of minerals or natural resources.

DATES: Written or electronic comments and requests for a public hearing for the notice of proposed rulemaking published at 80 FR 25970, May 6, 2015 are still being accepted and must be received by August 4, 2015.

ADDRESSES: Send submissions to: CC:PA:LPD:PR (REG–132634–14), Room

5203, Internal Revenue Service, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand-delivered Monday through Friday between the hours of 8 a.m. and 4 p.m. to CC:PA:LPD:PR (REG–132634–14), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC, or sent electronically, via the Federal eRulemaking Portal at *www.regulations.gov* (IRS REG–132634–14). **FOR FURTHER INFORMATION CONTACT**: Caroline E. Hay at (202) 317–5279 (not a toll free number).

SUPPLEMENTARY INFORMATION:

Background

The notice of proposed rulemaking (REG–132634–14) that is the subject of these corrections is under section 7704(d)(1)(E) of the Internal Revenue Code.

Need for Correction

As published in the **Federal Register** on Wednesday, May 6, 2015 (80 FR 25970), the notice of proposed rulemaking (REG–132634–14) contains errors that may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the notice of proposed rulemaking (REG–132634–14), that was the subject of FR Doc. 2015–10592, is corrected as follows:

1. On page 25972, in the preamble, first column, under paragraph heading ''D. Processing or Refining'', sixteenth line from the bottom of the first paragraph, the language ''with Rev. Rul. 87–56 (1987–2 CB 27)'' is corrected to read ''with Rev. Proc. 87–56 (1987–2 CB 674)''.

§ 1.7704–4 [Corrected]

2. On Page 25975, first column, the fifteenth and sixteenth lines of paragraph (c)(5)(i), the language ''activity in accordance with Rev. Rul. 87–56, 1987–2 CB 27 (see'' is corrected to read ''activity in accordance with Rev. Proc. 87–56, 1987–2 CB 674 (see''.

Martin V. Franks,

Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. 2015–14467 Filed 6–17–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

27 CFR Part 9

[Docket No. TTB–2015–0009; Notice No. 153]

RIN 1513–AC20

Proposed Establishment of the Loess Hills District Viticultural Area

AGENCY: Alcohol and Tobacco Tax and Trade Bureau, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Alcohol and Tobacco Tax and Trade Bureau (TTB) proposes to establish the 12,897-square mile (8,254,151-acre) ''Loess Hills District'' viticultural area in western Iowa and northwestern Missouri. The proposed viticultural area is not located within, nor does it contain, any other established viticultural area. TTB designates viticultural areas to allow vintners to better describe the origin of their wines and to allow consumers to better identify wines they may purchase. TTB invites comments on this proposed addition to its regulations.

DATES: Comments must be received by August 17, 2015.

ADDRESSES: Please send your comments on this proposed rule to one of the following addresses (please note that TTB has a new address for comments submitted by U.S. mail):

- *Internet: http://www.regulations.gov* (via the online comment form for this proposed rule as posted within Docket No. TTB–2015–0009 at ''Regulations.gov,'' the Federal e-rulemaking portal);
- *U.S. Mail:* Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Box 12, Washington, DC 20005; or
- *Hand delivery/courier in lieu of mail:* Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Suite 400, Washington, DC 20005.

See the Public Participation section of this proposed rule for specific instructions and requirements for submitting comments, and for information on how to request a public hearing or view or request copies of the petition and supporting materials.

FOR FURTHER INFORMATION CONTACT: Karen A. Thornton, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Box 12, Washington, DC 20005; phone 202–453–1039, ext. 175.

SUPPLEMENTARY INFORMATION:

Background on Viticultural Areas

TTB Authority

Section 105(e) of the Federal Alcohol Administration Act (FAA Act), 27 U.S.C. 205(e), authorizes the Secretary of the Treasury to prescribe regulations for the labeling of wine, distilled spirits, and malt beverages. The FAA Act provides that these regulations should, among other things, prohibit consumer deception and the use of misleading statements on labels and ensure that labels provide the consumer with adequate information as to the identity and quality of the product. The Alcohol and Tobacco Tax and Trade Bureau (TTB) administers the FAA Act pursuant to section 1111(d) of the Homeland Security Act of 2002, codified at 6 U.S.C. 531(d). The Secretary has delegated various authorities through Treasury Department Order 120–01), dated December 10, 2013, to the TTB Administrator to perform the functions and duties in the administration and enforcement of this law.

Part 4 of the TTB regulations (27 CFR part 4) authorizes the establishment of definitive viticultural areas and the use of their names as appellations of origin on wine labels and in wine advertisements. Part 9 of the TTB regulations (27 CFR part 9) sets forth standards for the preparation and submission of petitions for the establishment or modification of American viticultural areas (AVAs) and lists the approved AVAs.

Definition

Section 4.25(e)(1)(i) of the TTB regulations (27 CFR 4.25(e)(1)(i)) defines a viticultural area for American wine as a delimited grape-growing region having distinguishing features, as described in part 9 of the regulations, and a name and a delineated boundary, as established in part 9 of the regulations. These designations allow vintners and consumers to attribute a given quality, reputation, or other characteristic of a wine made from grapes grown in an area to the wine's geographic origin. The establishment of AVAs allows vintners to describe more accurately the origin of their wines to consumers and helps consumers to identify wines they may purchase. Establishment of an AVA is neither an approval nor an endorsement by TTB of the wine produced in that area.

Requirements

Section 4.25(e)(2) of the TTB regulations (27 CFR 4.25(e)(2)) outlines the procedure for proposing an AVA and provides that any interested party

may petition TTB to establish a grape-growing region as an AVA. Section 9.12 of the TTB regulations (27 CFR 9.12) prescribes the standards for petitions for the establishment or modification of AVAs. Petitions to establish an AVA must include the following:

- Evidence that the area within the proposed AVA boundary is nationally or locally known by the AVA name specified in the petition;
- An explanation of the basis for defining the boundary of the proposed AVA;
- A narrative description of the features of the proposed AVA affecting viticulture, such as climate, geology, soils, physical features, and elevation, that make the proposed AVA distinctive and distinguish it from adjacent areas outside the proposed AVA boundary;
- The appropriate United States Geological Survey (USGS) map(s) showing the location of the proposed AVA, with the boundary of the proposed AVA clearly drawn thereon; and
- A detailed narrative description of the proposed AVA boundary based on USGS map markings.

Loess Hills District Petition

TTB received a petition from Shirley Frederiksen, on behalf of the Golden Hills Resource Conservation and Development Inc. and the Western Iowa Grape Growers, proposing the establishment of the ''Loess Hills District'' AVA in western Iowa and northwestern Missouri. The proposed AVA includes all or portions of Fremont, Page, Mills, Montgomery, Pottawattamie, Cass, Harrison, Shelby, Audubon, Monoma, Crawford, Carroll, Woodbury, Ida, Sac, Plymouth, and Sioux Counties in Iowa, as well as portions of Atchison and Holt Counties in Missouri. The proposed AVA covers 12,897 square miles (approximately 8,254,151 acres) and has 66 commercial vineyards, which cover approximately 112 acres, distributed across the proposed AVA. The proposed AVA also has 13 bonded wineries.

According to the petition, the distinguishing features of the proposed Loess Hills District AVA include its soil, topography, and climate. Unless otherwise noted, all information and data pertaining to the proposed AVA contained in this proposed rule come from the petition for the proposed Loess Hills District AVA and its supporting exhibits.

Name Evidence

The proposed Loess Hills District AVA derives its name from the hills made of extremely thick layers of wind-deposited soil called ''loess'' that are characteristic of the region. Author Cornelia F. Mutel wrote a book about the natural history of the region titled *Fragile Giants: A Natural History of the Loess Hills,*[1] in which she referred to the hills as ''one of North America's gems, possessing natural features rarely duplicated elsewhere on the planet.'' In 1999, the State of Iowa designated 11,266 acres of land within the region of the proposed AVA as the Loess Hills State Forest, with the goal of protecting and preserving the unique landforms.

The names used by several Federal agencies to refer to the region of the proposed AVA contain the words ''loess hills.'' The U.S. Department of Agriculture's Natural Resources Conservation Service has designated the region as a Major Land Resource Area known as the ''Iowa and Missouri Deep Loess Hills.'' The U.S. Environmental Protection Agency describes the area of the proposed AVA as the ''Western Loess Hills'' eco-region. The U.S. Geological Survey describes the region as the ''Loess Hills Regional Landform.'' The Federal Highway Administration gave the name ''Loess Hills National Scenic Byway'' to a corridor of roads passing through the region of the proposed AVA. Finally, the National Park Service has designated 10,000 acres within the proposed AVA as the ''Loess Hills National Natural Landmark.''

Within the proposed Loess Hills District AVA are several businesses, organizations, and events that use the words ''loess hills'' in their names. Two annual events in Monona County, Iowa, are the Loess Hills Prairie Seminar, which teaches children and adults about the natural and cultural history of the region, and the Loess Hills Tractor Ride. The Loess Hills Wind Farm supplies energy to the town of Rock Port, Missouri, which is within the proposed AVA. Council Bluffs, Iowa, is the headquarters of the Loess Hills Preservation Society, which works to protect the natural resources of western Iowa and northwestern Missouri through education, land protection projects, sound land use planning, and land acquisition. The city also is served by a local chapter of the Red Cross, which is called the Loess Hills Red Cross. The Loess Hills Wood Turners, which meets in Glenwood, Iowa, is a club for woodworkers who live in southwestern Iowa. The Loess Hills Hideaway Cabins and Campground is located near Pisgah, Iowa. Finally, Loess Hills Miniatures is a miniature horse farm near Sioux City, Iowa.

Although the region of the proposed Loess Hills District AVA is commonly referred to as ''Loess Hills,'' the petitioner proposes adding ''District'' to the name in order to avoid potentially affecting current use of the phrase ''Loess Hills,'' standing alone, in brand names on wine labels. TTB agrees that the addition of the word ''District'' is an acceptable modification for this purpose.

Boundary Evidence

The proposed Loess Hills District AVA is described in the petition as a long, narrow region of loess-formed hills along the western banks of the Missouri and Big Sioux Rivers in western Iowa and northwestern Missouri. The proposed AVA stretches from the Iowa–South Dakota border south to Craig, Missouri, and east to Exira, Iowa. According to the petition, the proposed boundary encompasses the regions where the depth of the loess is greater than 20 feet, which allows for excellent water drainage and vine rooting depth.

The proposed western boundary follows U.S. Interstate 29 and the Big Sioux River and separates the loess-formed hills of the proposed AVA from the low, flat alluvial plains along the Missouri River. The proposed northern, eastern, and southern boundaries follow a series of roads to separate the steep slopes and deep loess of the proposed AVA from the more gently rolling landscapes and shallower loess depths of the surrounding regions.

Distinguishing Features

The distinguishing features of the proposed Loess Hills District AVA include soil, topography, and climate.

Soil

The primary distinguishing feature of the proposed Loess Hills District AVA is the deep loess soil. Loess is a loose, crumbly soil comprised of quartz, feldspar, mica, and other materials. During the Ice Age, glaciers ground the underlying rocks into a fine powder called ''glacial flour.'' When the glaciers melted, the water pushed the glacial flour down the Missouri River Valley. When the waters receded, the exposed silt dried and was picked up by the prevailing westerly winds and re-deposited over broad areas. This windborne silt is called ''loess.'' The heaviest, coarsest loess particles were deposited close to the Missouri River and formed the sharp, high bluffs of the proposed Loess Hills District AVA.

Loess is common throughout the United States, but the loess of the

[1] Cornelia F. Mutel, *Fragile Giants: A Natural History of the Loess Hills* (Iowa City: University of Iowa Press, 1989).

proposed AVA is unique because of its depth. Within portions of the proposed AVA, the loess reaches depths of 300 feet. According to the petition, the only place on Earth where deep loess layers are as extensive as those within the proposed AVA is Shaanxi, China. The deep loess of the proposed AVA enable roots to extend deep into the soil without being stopped by a restrictive barrier such as denser soils or bedrock. The lack of a restrictive barrier also allows water to drain away from the roots quickly, which reduces the risk of fungal diseases and rot.

The soil within the proposed Loess Hills District AVA typically has a high pH value, ranging from 6.9 to 7.3. According to the petition, grapes that are grown in soils with high pH levels show fewer leaf symptoms of nutrient imbalance and are better to withstand cold winters than similar grapes grown in soils with lower pH levels. The petition states the higher soil pH levels of the proposed AVA are the reason varieties such as Noiret, St. Vincent, Vignole, Traminnette, Chardonel, Chambourcin, Cayuga, and Norton are grown successfully within the proposed AVA but are not as common in the regions outside the proposed AVA. Additionally, grapes grown in soils with high pH levels produce must that has lower levels of potassium. Wines produced from grape must with high levels of potassium have lower, less desirable acidity levels and are more susceptible to microbial attacks than wines made from grape must with low levels of potassium.

To the north, east, and south of the proposed Loess Hills District AVA, the depth of loess is less than 20 feet. The soils to the north, east, and south of the proposed AVA also contain glacial till, which forms a restrictive barrier that prevents excess water from draining as rapidly and fully as within the proposed AVA. As a result, artificial drainage is more common in vineyards in these regions than inside the proposed AVA. To the immediate west of the proposed AVA, the soils are primarily formed from alluvium and are poorly drained and subject to flooding.

Topography

The topography of the proposed Loess Hills District AVA is characterized by rolling-to-steep hills. Elevations within the proposed AVA peak at approximately 1,500 feet on the highest ridgelines, though local relief averages approximately 100 feet. Ridge crests are primarily oriented in a north-south direction. Erosion by wind and water has sculpted the ridge crests into irregular shapes called ''peaks and saddles,'' and streams have carved steep-sided valleys. In places where the soil has become heavily saturated, the soil has slipped as a unit to form rows of staircase-like terraces called ''cat steps.'' According to the petition, the irregular terrain of the proposed AVA has created sheltered niches with warmer temperatures than are found outside the proposed AVA. As a result, certain plants are able to live hundreds of miles outside their normal ranges, including the yucca, which is native to the southwestern States, and the pawpaw tree, which is native to the southeastern States.

The hilly, often steep, landscape affects viticulture within the proposed Loess Hills District AVA. The hilly terrain allows cold night air to drain off the slopes and away from the vineyards, reducing the risk of frost in the late spring and early fall. The steep slopes also shed excess water more quickly and completely than surrounding regions with flatter terrain, reducing the risk of fungal diseases and rot. However, the steepness of the slopes, combined with the loose texture of the soil, increases the risk of erosion. To reduce erosion, many vineyard owners within the proposed AVA plant their vines in a north-south alignment, with a slightly eastward slant to optimize the amount of sunlight that reaches the vines. Finally, the same warm niches that allow plants such as yucca and pawpaw trees to grow in the proposed AVA also allow very late ripening grape varieties such as Norton, Chambourcin, and Noiret to grow successfully.

Outside of the proposed Loess Hills District AVA, the local topography is generally flatter and lower. To the north, the local relief is similar to that of the proposed AVA, but the hills are more broadly undulating, and wide, nearly level valley floors are common along the large rivers. To the east, the terrain is nearly level to gently rolling, and local relief is between 10 and 20 feet. To the south of the proposed AVA are rolling hills with broad ridge tops and major rivers with nearly level valleys, similar to the topography north of the proposed AVA. Local relief south of the proposed AVA is between 10 and 20 feet, which is lower than that of the proposed AVA. To the west of the proposed AVA, the terrain is marked by broad, undulating ridges and wide flood plains, and the local relief is between 5 and 30 feet.

Climate

The petition compared the temperature of the proposed Loess Hills District AVA to the surrounding region. The following table, compiled from data in the petition, summarizes the growing season length, first and last frost dates, and growing degree day (GDD) [2] averages for locations both within and outside of the proposed AVA.[3] The locations within the proposed AVA are listed from the northernmost location to the southernmost location, as are the locations outside the proposed AVA.

Location	Average date of last spring frost (base 30 degrees F)	Average date of first fall frost (base 30 degrees F)	Average length of growing season (in days)	Annual GDD averages
Within Proposed AVA				
Sioux City, IA	April 19	October 9	173	3,191
Oakland, IA	April 24	October 6	167	3,227
Atlantic, IA	April 27	October 6	158	3,174
Tarkio, MO	April 11	October 12	182	3,364

[2] In the Winkler climate classification system, annual heat accumulation during the growing season (April 1 through October 31), measured in annual growing degree days (GDDs), defines climatic regions. One GDD accumulates for each degree Fahrenheit that a day's mean temperature is above 50 degrees, the minimum temperature required for grapevine growth. See Albert J. Winkler, *General Viticulture* (Berkeley: University of California Press, 1974), pages 61–64.

[3] The climate date for Iowa and Missouri was gathered from climate normals available from the Midwest Regional Climate Center (*http://mrcc.isws.illinois.edu/climate_midwest/mwclimate_data_summaries.htm*). Climate normals are calculated every 10 years using 30 years of data. At the time the petition was submitted, the most recent climate normals available were from the period of 1971–2000. The climate data for Nebraska and South Dakota was gathered from the High Plains Regional Climate Center (HPRCC) (*http://www,hprcc.unl.edu/data/historical*). The period of the data collection on the HPRCC site varies from weather station to weather station.

Location	Average date of last spring frost (base 30 degrees F)	Average date of first fall frost (base 30 degrees F)	Average length of growing season (in days)	Annual GDD averages
Average			170	3,239
North of Proposed AVA				
Rock Rapids, IA	April 28	October 2	158	2,279
Sioux Falls, SD	May 2	September 28	139	2787
Average			149	2,533
East of Proposed AVA				
Sheldon, IA	May 1	October 2	155	2,729
Cherokee, IA	May 2	October 4	157	2,866
Rockwell City, IA	April 21	October 8	172	3,063
Guthrie Center, IA	April 28	October 4	162	3,013
Bedford, IA	April 19	October 10	175	3,430
Average			164	3,020
South of Proposed AVA				
Amity, MO	April 12	October 12	180	3,516
St. Joseph, MO	April 12	October 13	188	3,866
Average			184	3,691
West of Proposed AVA				
Wayne, NE	May 7	October 1	147	2,911
West Point, NE	May 1	October 9	160	3,337
Fremont, NE	April 30	October 1	162	3,517
Ashland, NE	April 27	October 5	161	3,566
Tecumseh, NE	May 3	October 6	155	3,613
Average			157	3,389

The proposed Loess Hills District AVA is well-suited for growing grape varieties that require a long time to mature. The early last-spring-frost date allows vines to emerge from their winter dormancy early without the risk of a late frost damaging the new growth or buds. The late first-fall-frost date ensures ample time for the grapes to remain on the vine and achieve full maturity and reach the desired levels of acids and sugars. Finally, the GDD average reflects warm growing season temperatures that encourage vine growth and fruit development.

To the north and east of the proposed AVA, the growing season is shorter and GDDs are fewer, so late-maturing varieties of grapes would not grow as successfully in these regions as they do within the proposed AVA. West of the proposed AVA, the GDD accumulations are higher, but a later last-spring-frost date increases the risk of frost damage to new vine growth and buds, and an earlier first-fall-frost date poses a risk for grapes that are still ripening late in the growing season. The region to the south has both a longer growing season and greater GDD accumulations than the proposed AVA, so late-maturing varieties may ripen too quickly and develop higher levels of sugars than desired.

The petition also included data on the average annual precipitation amounts for the proposed Loess Hills District AVA and the surrounding regions. The following table was compiled from data in the petition, and the data is from the same sources as the data in the previous table.

Location	Average annual precipitation amount (in Inches)
Within Proposed AVA	
Sioux City, IA	25.99
Oakland, IA	33.53
Atlantic, IA	34.77
Tarkio, MO	33.52
Average	31.95
North of Proposed AVA	
Rock Rapids, IA	27.40
Sioux Falls, SD	25.07
Average	26.23
East of Proposed AVA	
Sheldon, IA	29.46
Cherokee, IA	29.03
Rockwell City, IA	31.26
Guthrie Center, IA	34.71
Bedford, IA	36.35
Average	32.16
South of Proposed AVA	
Amity, MO	36.35
St. Joseph, MO	35.24
Average	35.79
West of Proposed AVA	
Wayne, NE	26.35
West Point, NE	29.18
Fremont, NE	29.29
Ashland, NE	28.50
Tecumseh, NE	31.79
Average	29.02

The average annual precipitation amounts within the proposed Loess Hills District AVA are higher than the regions to the north and west, and lower than the regions to the east and south. The rainfall amounts within the proposed AVA provide sufficient moisture for the vines, and irrigation is seldom necessary. However, the relatively high rainfall amounts increase the risk of erosion within the proposed AVA, due to the nature of the loess soils. As a result, vineyards on steep hillsides are often planted in a north-south orientation to help hold the soil in place and reduce erosion.

Summary of Distinguishing Features

In summary, the evidence provided in the petition indicates that the geographic and climatic features of the proposed Loess Hills District AVA distinguish it from the surrounding regions in each direction. To the north, east, and south of the proposed AVA, the topography is characterized by broadly undulating hills with shallower slopes, and the depth of the loess is less than 20 feet. The regions to the north and east also have shorter growing seasons with lower accumulations of GDDs. To the south of the proposed AVA, the growing season is longer and accumulates more GDDs, and precipitation levels are higher. The region to the west of the proposed AVA is characterized by wide flood plains, alluvial soils, less rainfall, and a shorter growing season with higher GDD accumulations.

TTB Determination

TTB concludes that the petition to establish the 12,897-square mile Loess Hills District AVA merits consideration and public comment, as invited in this proposed rule.

Boundary Description

See the narrative description of the boundary of the petitioned-for AVA in the proposed regulatory text published at the end of this proposed rule.

Maps

The petitioner provided the required maps, and they are listed below in the proposed regulatory text.

Impact on Current Wine Labels

Part 4 of the TTB regulations prohibits any label reference on a wine that indicates or implies an origin other than the wine's true place of origin. For a wine to be labeled with an AVA name, at least 85 percent of the wine must be derived from grapes grown within the area represented by that name, and the wine must meet the other conditions listed in § 4.25(e)(3) of the TTB regulations (27 CFR 4.25(e)(3)). If the wine is not eligible for labeling with an AVA name and that name appears in the brand name, then the label is not in compliance and the bottler must change the brand name and obtain approval of a new label. Similarly, if the AVA name appears in another reference on the label in a misleading manner, the bottler would have to obtain approval of a new label. Different rules apply if a wine has a brand name containing an AVA name that was used as a brand name on a label approved before July 7, 1986. See § 4.39(i)(2) of the TTB regulations (27 CFR 4.39(i)(2)) for details.

If TTB establishes this proposed AVA, its name, ''Loess Hills District,'' will be recognized as a name of viticultural significance under § 4.39(i)(3) of the TTB regulations (27 CFR 4.39(i)(3)). The text of the proposed regulation clarifies this point. Consequently, if this proposed rule is adopted as a final rule, wine bottlers using the name ''Loess Hills District'' in a brand name, including a trademark, or in another label reference as to the origin of the wine, would have to ensure that the product is eligible to use the AVA name as an appellation of origin. TTB is not proposing ''Loess Hills,'' standing alone, as a term of viticultural significance if the proposed AVA is established, in order to avoid a potential conflict with a current label holder. Accordingly, the proposed part 9 regulatory text set forth in this document specifies only the full name ''Loess Hills District'' as a term of viticultural significance for purposes of part 4 of the TTB regulations.

Public Participation

Comments Invited

TTB invites comments from interested members of the public on whether it should establish the proposed AVA. TTB is also interested in receiving comments on the sufficiency and accuracy of the name, boundary, soils, climate, and other required information submitted in support of the petition. Please provide any available specific information in support of your comments.

Because of the potential impact of the establishment of the proposed Loess Hills District AVA on wine labels that include the term ''Loess Hills District,'' as discussed above under Impact on Current Wine Labels, TTB is particularly interested in comments regarding whether there will be a conflict between the proposed area name and currently used brand names. If a commenter believes that a conflict will arise, the comment should describe the nature of that conflict, including any anticipated negative economic impact that approval of the proposed AVA will have on an existing viticultural enterprise. TTB is also interested in receiving suggestions for ways to avoid conflicts, for example, by adopting a modified or different name for the AVA.

Submitting Comments

You may submit comments on this proposed rule by using one of the following three methods (please note that TTB has a new address for comments submitted by U.S. Mail):

- *Federal e-Rulemaking Portal:* You may send comments via the online comment form posted with this proposed rule within Docket No. TTB–2015–0009 on ''Regulations.gov,'' the Federal e-rulemaking portal, at *http://www.regulations.gov.* A direct link to that docket is available under Notice No. 153 on the TTB Web site at *http://www.ttb.gov/wine/wine-rulemaking.shtml.* Supplemental files may be attached to comments submitted via Regulations.gov. For complete instructions on how to use Regulations.gov, visit the site and click on the ''Help'' tab.
- *U.S. Mail:* You may send comments via postal mail to the Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Box 12, Washington, DC 20005.
- *Hand Delivery/Courier:* You may hand-carry your comments or have them hand-carried to the Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Suite 400, Washington, DC 20005.

Please submit your comments by the closing date shown above in this proposed rule. Your comments must reference Notice No. 153 and include your name and mailing address. Your comments also must be made in English, be legible, and be written in language acceptable for public disclosure. TTB does not acknowledge receipt of comments, and TTB considers all comments as originals.

In your comment, please clearly indicate if you are commenting on your own behalf or on behalf of an association, business, or other entity. If you are commenting on behalf of an entity, your comment must include the entity's name, as well as your name and position title. If you comment via Regulations.gov, please enter the entity's name in the ''Organization'' blank of the online comment form. If you comment via postal mail or hand delivery/courier, please submit your entity's comment on letterhead.

You may also write to the Administrator before the comment closing date to ask for a public hearing. The Administrator reserves the right to determine whether to hold a public hearing.

Confidentiality

All submitted comments and attachments are part of the public record and subject to disclosure. Do not enclose any material in your comments that you consider to be confidential or inappropriate for public disclosure.

Public Disclosure

TTB will post, and you may view, copies of this proposed rule, selected supporting materials, and any online or mailed comments received about this proposal within Docket No. TTB–2015–0009 on the Federal e-rulemaking portal, Regulations.gov, at *http://www.regulations.gov.* A direct link to that docket is available on the TTB Web site at *http://www.ttb.gov/wine/wine-rulemaking.shtml* under Notice No. 153. You may also reach the relevant docket through the Regulations.gov search page at *http://www.regulations.gov.* For information on how to use Regulations.gov, click on the site's ''Help'' tab.

All posted comments will display the commenter's name, organization (if any), city, and State, and, in the case of mailed comments, all address information, including email addresses. TTB may omit voluminous attachments or material that the Bureau considers unsuitable for posting.

You may also view copies of this proposed rule, all related petitions, maps and other supporting materials, and any electronic or mailed comments that TTB receives about this proposal by appointment at the TTB Information Resource Center, 1310 G Street NW., Washington, DC 20005. You may also obtain copies at 20 cents per 8.5- x 11-inch page. Please note that TTB is unable to provide copies of USGS maps or any similarly-sized documents that may be included as part of the AVA petition. Contact TTB's information specialist at the above address or by telephone at 202–453–2270 to schedule an appointment or to request copies of comments or other materials.

Regulatory Flexibility Act

TTB certifies that this proposed regulation, if adopted, would not have a significant economic impact on a substantial number of small entities. The proposed regulation imposes no new reporting, recordkeeping, or other administrative requirement. Any benefit derived from the use of an AVA name would be the result of a proprietor's efforts and consumer acceptance of wines from that area. Therefore, no regulatory flexibility analysis is required.

Executive Order 12866

It has been determined that this proposed rule is not a significant regulatory action as defined by Executive Order 12866 of September 30, 1993. Therefore, no regulatory assessment is required.

Drafting Information

Karen A. Thornton of the Regulations and Rulings Division drafted this proposed rule.

List of Subjects in 27 CFR Part 9

Wine.

Proposed Regulatory Amendment

For the reasons discussed in the preamble, TTB proposes to amend title 27, chapter I, part 9, Code of Federal Regulations, as follows:

PART 9—AMERICAN VITICULTURAL AREAS

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

Authority: 27 U.S.C. 205.

Subpart C—Approved American Viticultural Areas

■ 2. Subpart C is amended by adding § 9.___ to read as follows:

§ 9.____ Loess Hills District.

(a) *Name.* The name of the viticultural area described in this section is ''Loess Hills District''. For purposes of part 4 of this chapter, ''Loess Hills District'' is a term of viticultural significance.

(b) *Approved maps.* The 13 United States Geological Survey (USGS) 1:100,000 scale topographic maps used to determine the boundary of the Loess Hills District viticultural area are titled:

(1) Rock Rapids, Iowa–South Dakota, 1985;

(2) Sioux City North, Iowa– South Dakota–Nebraska, 1986; photoinspected 1990;

(3) Storm Lake, Iowa, 1985; photoinspected 1990;

(4) Ida Grove, Iowa, 1985; photoinspected 1990;

(5) Carroll, Iowa, 1993;

(6) Guthrie Center, Iowa, 1993;

(7) Creston, Iowa, 1993;

(8) Omaha, Nebraska–Iowa, 1985; photoinspected, 1990;

(9) Nebraska City, Nebraska–Iowa–Missouri, 1993;

(10) Falls City, Nebraska–Missouri, 1986; photoinspected 1991;

(11) Harlan, Iowa–Nebraska, 1980;

(12) Blair, Nebraska–Iowa, 1986; photoinspected 1988; and

(13) Sioux City South, Iowa–Nebraska South Dakota, 1986; photoinspected 1990.

(c) *Boundary.* The Loess Hills District viticultural area is located in Fremont, Page, Mills, Montgomery, Pottawattamie, Cass, Harrison, Shelby, Audubon, Monona, Crawford, Carroll, Woodbury, Ida, Sac, Plymouth, and Sioux Counties in western Iowa and Atchison and Holt Counties in northwestern Missouri. The boundary of the Loess Hills District viticultural area is as described below:

(1) The beginning point is on the Rock Rapids, Iowa–South Dakota map, in Sioux County, Iowa, at the intersection of the Big Sioux River and an unnamed road known locally as County Road B30 (360th Street), east of Hudson, South Dakota. From the beginning point, proceed east on County Road B30 approximately 3 miles to a road known locally as County Road K22 (Coolidge Avenue); then

(2) Proceed south on County Road K22 approximately 3 miles to a road known locally as County Road B40 (390th Street); then

(3) Proceed east on County Road B40 approximately 4 miles to a road known locally as County Road K30 (Eagle Avenue); then

(4) Proceed south on County Road K30 approximately 13.1 miles, crossing onto the Sioux City North, Iowa–South Dakota–Nebraska map and continuing into Plymouth County, Iowa, to a road known locally as County Road C12 (110th Street), at Craig, Iowa; then

(5) Proceed east on County Road C12 approximately 2 miles to a road known locally as County Road K42 (Jade Avenue), at the marked 436-meter elevation point; then

(6) Proceed south on County Road K42 approximately 10 miles to a road known locally as County Road C38; then

(7) Proceed east on County Road C38 approximately 6.4 miles to a road known locally as County Road K49 (7th Avenue SE), approximately 2 miles south of La Mars, Iowa; then

(8) Proceed south on County Road K49 approximately 4 miles to a road known locally as County Road C44 (230th Street); then

(9) Proceed east on County Road C44 approximately 5 miles to a road known locally as County Road K64 (Oyens Avenue); then

(10) Proceed south on County Road K64 approximately 4.1 miles to a road known locally as County Road C60 (290th Street); then

(11) Proceed east on County Road C60 approximately 5 miles, crossing onto the Storm Lake, Iowa map, to State Highway 140; then

(12) Proceed south on State Highway 140 approximately 3.2 miles to a road known locally as County Road L14 (Knox Avenue) in Kingsley, Iowa; then

(13) Proceed south on County Road L14 approximately 2.7 miles, crossing into Woodbury County, Iowa, to a road known locally as County Road D12 (110th Street); then

(14) Proceed east on County Road D12 approximately 5 miles to a road known locally as County Road L25 (Minnesota Avenue) near Pierson, Iowa; then

(15) Proceed south on County Road L25 approximately 4.5 miles, crossing onto the Ida Grove, Iowa map, to U.S. Highway 20; then

(16) Proceed east on U.S. Highway 20 approximately 22.5 miles, crossing into Ida County, Iowa, to a road known locally as County Road M25 (Market Avenue); then

(17) Proceed south on County Road M25 approximately 9.8 miles to State Highway 175 east of Ida Grove, Iowa; then

(18) Proceed east on State Highway 175 approximately 4.1 miles to a road known locally as Country Highway M31 (Quail Avenue) near Arthur, Iowa; then

(19) Proceed south on Country Highway M31 approximately 4.4 miles to a road known locally as County Road D59 (300th Street); then

(20) Proceed east on County Road D59 approximately 13 miles, crossing into Sac County, Iowa, to a road known locally as County Road M64 (Needham Avenue/Center Street) at Wall Lake, Iowa; then

(21) Proceed south on County Road M64 approximately 6.2 miles to a road known locally as County Road E16 (120th Street); then

(22) Proceed east into Carroll County, Iowa, on County Road E16 approximately 6 miles, crossing onto the Carroll, Iowa map, to Breda, Iowa, and then continue east on State Highway 217 (East Main Street) approximately 5 miles to U.S. Highway 71; then

(23) Proceed south on U.S. Highway 71 approximately 3 miles to a road known locally as County Road E26 (140th Street); then

(24) Proceed east on County Road E26 approximately 5 miles to a road known locally as County Road N38 (Quail Avenue); then

(25) Proceed south on County Road N38 approximately 5 miles to U.S. Highway 30 (Lincoln Highway); then

(26) Proceed east on U.S. Highway 30 approximately 3 miles to a road known locally as County Road N44 (Colorado Street) in Glidden, Iowa; then

(27) Proceed south on County Road N44 approximately 8 miles, crossing onto the Guthrie Center, Iowa map, to a road known locally as County Road E57 (280th Street); then

(28) Proceed east on County Road E57 approximately 2 miles to a road known locally as County Road N44 (Velvet Avenue); then

(29) Proceed south on County Road N44 approximately 5.4 miles to State Highway 141 (330th Street) at Coon Rapids, Iowa; then

(30) Proceed west on State Highway 141 approximately 12 miles to U.S. Highway 71 at Lynx Avenue southeast of Templeton, Iowa; then

(31) Proceed south on U.S. Highway 71 approximately 35.9 miles, crossing into Audubon County, Iowa, and then Cass County, Iowa, and onto the Creston, Iowa map, to U.S. Highway 6/State Highway 83 east of Atlantic, Iowa; then

(32) Proceed west, then southwest, then west on U.S. Highway 6 approximately 18.9 miles, crossing onto the Omaha, Nebraska–Iowa map and into Pottawattamie County, Iowa, to a road known locally as County Road M47 (500th Street) approximately 1 mile west of Walnut Creek; then

(33) Proceed south on County Road M47 approximately 12 miles, crossing into Montgomery County, Iowa to a road known locally as County Road H12 (110th Street); then

(34) Proceed west on County Road H12 approximately 8.9 miles, crossing into Mills County, Iowa, to U.S. Highway 59; then

(35) Proceed south on U.S. Highway 59 approximately 20.2 miles, crossing onto the Nebraska City, Nebraska–Iowa–Missouri map and into Page County, Iowa, to a road known locally as County Road J14 (130th Street); then

(36) Proceed east on County Road J14 approximately 4 miles to a road known locally as County Road M41 (D Avenue); then

(37) Proceed south on County Road M41 approximately 1.7 miles to State Highway 48 at Essex, Iowa; then

(38) Proceed northeast then east on State Highway 48 approximately 1.2 miles to a road known locally as County Road M41 (E Avenue); then

(39) Proceed south on County Road M41 approximately 7 miles to State Highway 2 (210th Street); then

(40) Proceed east on State Highway 2 approximately 8 miles to a road known locally as M Avenue; then

(41) Proceed south on M Avenue, then east on a road known locally as County Road M60 (Maple Avenue), approximately 6.4 total miles, to a road known locally as County Road J52 (270th Street); then

(42) Proceed south in a straight line approximately 3.5 miles to the intersection of 304th Street and Maple Avenue (approximately 1.2 mile southwest of College Springs, Iowa), and then continue south on Maple Avenue for 0.5 mile to a road known locally as County Road J64 (310th Street); then

(43) Proceed west on County Road J64 approximately 4.5 miles to a road known locally as County Road M48 (Hackberry Avenue); then

(44) Proceed south on County Road M48 approximately 1.2 miles to the Iowa-Missouri State line at Blanchard, Iowa, and, crossing into Atchison County, Missouri, where County Road M48 becomes State Road M, and continue generally south on State Road M approximately 11.2 miles, crossing onto the Falls City, Nebraska-Missouri map, to U.S. Highway 136; then

(45) Proceed west on U.S. Highway 136 approximately 1 mile to State Road N; then

(46) Proceed south on State Road N 15 miles, crossing into Holt County, Missouri, to State Road C; then

(47) Proceed west then south on State Road C approximately 3 miles to U.S. Highway 59; then

(48) Proceed northwest on U.S. Highway 59 approximately 2 miles to the highway's first intersection with Interstate Highway 29 near Craig, Missouri; then

(49) Proceed generally north along Interstate Highway 29, crossing into Atchison County, Missouri, and onto the Nebraska City, Nebraska-Iowa-Missouri map, and continuing into Freemont County and Mills County, Iowa, then crossing onto the Omaha, Nebraska-Iowa map and into Pottawattamie County, Iowa; then crossing onto the Harlan, Iowa-Nebraska map and into Harrison County, Iowa; then continuing onto the Blair, Nebraska-Iowa map and into Monona County, Iowa; then crossing onto the Sioux City South, Iowa-Nebraska-South Dakota Map and into Woodbury County for a total of approximately 185 miles, to the intersection of Interstate Highway 29 with the Big Sioux River at Sioux City, Iowa; then

(50) Proceed generally north (upstream) along the meandering Big Sioux River, crossing onto the Sioux City North, Iowa-South Dakota-Nebraska map and into Plymouth County and Sioux County, Iowa, and continuing onto the Rock Rapids, Iowa-South Dakota map for a total of approximately 50 miles, returning to the beginning point.

Signed: June 11, 2015.

John J. Manfreda,

Administrator.

[FR Doc. 2015–15037 Filed 6–17–15; 8:45 am]

BILLING CODE 4810–31–P

DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

27 CFR Part 9

[Docket No. TTB–2015–0008; Notice No. 152]

RIN 1513–AC21

Proposed Expansion of the Willamette Valley Viticultural Area

AGENCY: Alcohol and Tobacco Tax and Trade Bureau, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Alcohol and Tobacco Tax and Trade Bureau (TTB) proposes to expand the approximately 5,360-square mile ''Willamette Valley'' viticultural area in northwestern Oregon by approximately 29 square miles. The established Willamette Valley viticultural area and the proposed expansion area do not lie within any other viticultural area. TTB designates viticultural areas to allow vintners to better describe the origin of their wines and to allow consumers to better identify wines they may purchase. TTB invites comments on this proposed addition to its regulations.

DATES: Comments must be received by August 17, 2015.

ADDRESSES: Please send your comments on this notice of proposed rulemaking to one of the following addresses:

- *Internet: http://www.regulations.gov* (via the online comment form for this notice of proposed rulemaking as posted within Docket No. TTB–2015–0008 at ''Regulations.gov,'' the Federal e-rulemaking portal);
- *U.S. Mail:* Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Box 12, Washington, DC 20005; or
- *Hand delivery/courier in lieu of mail:* Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Suite 400, Washington, DC 20005.

See the Public Participation section of this notice of proposed rulemaking for specific instructions and requirements for submitting comments, and for information on how to request a public hearing or view or obtain copies of the petition and supporting materials.

FOR FURTHER INFORMATION CONTACT: Karen A. Thornton, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Box 12, Washington, DC 20005; phone 202–453–1039, ext. 175.

SUPPLEMENTARY INFORMATION:

Background on Viticultural Areas

TTB Authority

Section 105(e) of the Federal Alcohol Administration Act (FAA Act), 27 U.S.C. 205(e), authorizes the Secretary of the Treasury to prescribe regulations for the labeling of wine, distilled spirits, and malt beverages. The FAA Act provides that these regulations should, among other things, prohibit consumer deception and the use of misleading statements on labels and ensure that labels provide the consumer with adequate information as to the identity and quality of the product. The Alcohol and Tobacco Tax and Trade Bureau (TTB) administers the FAA Act pursuant to section 1111(d) of the Homeland Security Act of 2002, codified at 6 U.S.C. 531(d). The Secretary has delegated various authorities through Treasury Department Order 120–01, dated December 10, 2013, to the TTB Administrator to perform the functions and duties in the administration and enforcement of this law.

Part 4 of the TTB regulations (27 CFR part 4) authorizes TTB to establish definitive viticultural areas and regulate the use of their names as appellations of origin on wine labels and in wine advertisements. Part 9 of the TTB regulations (27 CFR part 9) sets forth the standards for the preparation and submission of petitions for the establishment or modification of American viticultural areas (AVAs) and lists the approved American viticultural areas.

Definition

Section 4.25(e)(1)(i) of the TTB regulations (27 CFR 4.25(e)(1)(i)) defines a viticultural area for American wine as a delimited grape-growing region having distinguishing features, as described in part 9 of the regulations, and a name and a delineated boundary, as established in part 9 of the regulations. These designations allow vintners and consumers to attribute a given quality, reputation, or other characteristic of a wine made from grapes grown in an area to the wine's geographic origin. The establishment of AVAs allows vintners to describe more accurately the origin of their wines to consumers and helps consumers to identify wines they may purchase. Establishment of an AVA is neither an approval nor an endorsement by TTB of the wine produced in that area.

Requirements

Section 4.25(e)(2) of the TTB regulations (27 CFR 4.25(e)(2)) outlines the procedure for proposing the establishment of an AVA and provides that any interested party may petition TTB to establish a grape-growing region as an AVA. Petitioners may use the same procedures to request changes involving existing AVAs. Section 9.12(c) of the TTB regulations (27 CFR 9.12(c)) prescribes standards for petitions for modifying established AVAs. Petitions to expand an established AVA must include the following:

- Evidence that the region within the proposed expansion area boundary is nationally or locally known by the name of the established AVA;
- An explanation of the basis for defining the boundary of the proposed expansion area;
- A narrative description of the features of the proposed expansion area affecting viticulture, including climate, geology, soils, physical features, and elevation, that make the proposed expansion area similar to the established AVA and distinguish it from adjacent areas outside the established AVA boundary;
- The appropriate United States Geological Survey (USGS) map(s) showing the location of the proposed expansion area, with the boundary of the proposed expansion area clearly drawn thereon; and
- A detailed narrative description of the proposed expansion area boundary based on USGS map markings.

Petition To Expand the Willamette Valley AVA

TTB received a petition from Steve Thomson, the executive vice president of King Estate Winery in Eugene, Oregon, proposing to expand the established ''Willamette Valley'' AVA in northwestern Oregon. The Willamette Valley AVA (27 CFR 9.90) was established by T.D. ATF–162, which published in the **Federal Register** on December 1, 1983 (48 FR 54221). The Willamette Valley AVA covers approximately 5,360 square miles in Benton, Lane, Linn, Clackamas, Lincoln, Marion, Multnomah, Polk, Tillamook, Washington, and Yamhill Counties. The Willamette Valley AVA is not located within any other AVA, but it does contain six smaller AVAs: Chehalem Mountains, Dundee Hills, Eola-Amity Hills, McMinnville, Ribbon Ridge, and Yamhill-Carlton.

The proposed expansion area is located in Lane County adjacent to the

southern tip of the existing Willamette Valley AVA boundary and covers approximately 29 square miles. The King Estate Winery operates one of the two commercial vineyards covering a total of 508 acres located within the proposed expansion area, and has provided information that the second vineyard affected is also in favor of the proposed expansion. King Estate Winery and the second vineyard each have a winery within the proposed expansion area. A third winery would also be included; however, it does not operate a vineyard within the proposed expansion area. The vineyards and the wineries did not exist when the Willamette Valley AVA was established in 1983 and currently are not located within any AVA. The petition included letters from the president of the Willamette Valley Wineries Association and the president of the Oregon Winegrowers Association in support of the proposed expansion. According to the petition, the soils, climate, and topography of the proposed expansion area are consistent with those of the established AVA. Unless otherwise noted, all information and data pertaining to the proposed expansion area contained in this document come from the petition and its supporting exhibits.

Name Evidence

The petition provides evidence that the proposed expansion area is associated with the established Willamette Valley AVA. King Estate Winery, where the petitioner is the executive vice president, is located within the proposed expansion area and has a ''Eugene, Oregon'' mailing address. The city of Eugene is located within the current boundaries of the Willamette Valley AVA. The petition also states that the two vineyards located within the proposed expansion area are included in the National Agricultural Statistics Service's annual compilation of vineyard statistics within the region called the ''South Willamette Valley.''

Finally, the petition includes excerpts from wine lists from 11 different restaurants across the United States and one in Denmark that offer wines from the King Estate Winery. Although wines from the King Estate Winery use ''Oregon'' as the appellation of origin on their labels, the restaurant wine lists all describe the wine as coming from ''Willamette,'' ''Willamette Valley,'' or ''Willamette, Oregon.'' The petition states that these wine lists demonstrate that sellers and consumers currently associate the wines made in the proposed expansion area with the Willamette Valley AVA, even though the King Estate Winery does not market or label the wines as such.

Boundary Evidence

The Willamette Valley AVA is a long, narrow region encompassing the Willamette River basin. The AVA is approximately 120 miles long and 60 miles wide. The current AVA boundary begins at the intersection of the Multnomah-Columbia County line and the Oregon-Washington boundary. The current boundary then proceeds southward, primarily following the meandering 1,000-foot elevation contour, into Lane County. South of the city of Eugene and north of the Siuslaw River, the current AVA boundary briefly leaves the 1,000-foot elevation contour near Panther Creek and follows a series of straight lines drawn between marked features on the USGS maps before reconnecting with the 1,000-foot elevation contour near the community of Lorane. The current boundary then follows the elevation contour as it meanders southward to Sharps Creek, to a point near the Lane-Douglas County line. The current boundary then follows the 1,000-foot elevation contour as it turns northward and returns to the Oregon-Washington boundary. According to T.D. ATF–162, the 1,000-foot elevation contour was chosen to form the majority of the AVA boundary because 1,000 feet is the maximum elevation for successful viticulture in this region of Oregon.

The boundary of the proposed expansion area would modify the portion of the current AVA boundary that follows the straight lines drawn between marked features on the USGS maps near Panther Creek, in the southwestern portion of the AVA. The proposed expansion boundary would not use straight lines between points but instead would continue to follow the 1,000-foot elevation contour to the Lane-Douglas county line. The proposed expansion area boundary would then proceed east along the Lane–Douglas county line until it rejoins the 1,000-foot elevation contour, and then proceed north-northeasterly along the elevation contour until it joins the current Willamette Valley AVA boundary near Lorane. The proposed expansion area would not extend south into Douglas County because the Douglas County line forms the northern boundary of the Umpqua River Valley AVA (27 CFR 9.89), which has features that are distinctive from those of the Willamette Valley AVA.

Both the established Willamette Valley AVA and the proposed expansion area are surrounded to the west, east, and immediate south by high, steep mountains. To the east are the Cascade Mountains, and to the west are the Coast Range Mountains. To the south are the Calapooya Mountains, as well as the Umpqua River Valley.

Distinguishing Features

As justification of the expansion area, which is based on similarities in distinguishing features, the expansion petition quotes the original Willamette Valley AVA petition, which stated, ''[I]t is the intention of the Oregon Winegrowers Association to define this area as broadly as geographical data and viticultural experience will allow, so as not to stifle experimentation in new sites. * * * If any such sites come to light during the evaluation of this petition, we would urge they be included in the final description of the viticultural area.'' According to the petition, the proposed expansion area contains the same climate, soils, and topography as the established Willamette Valley AVA. The expansion petition concludes that, had the two vineyards in the proposed expansion area existed at the time the Willamette Valley AVA was established, the proposed expansion area would have been included because the region shares characteristics similar to those of the established AVA. Those characteristics are discussed in detail below.

Climate

The petition compared the climate of the proposed expansion area to that of the established Willamette Valley AVA and the surrounding regions. The petition included a map generated using the PRISM mapping system [1] that showed the growing degree day [2] (GDD) accumulations and average growing season temperatures throughout the proposed expansion area, the

[1] The PRISM climate data mapping system combined climate normals gathered from weather stations, along with other factors such as elevation, longitude, slope angles, and solar aspect to estimate the general climate patterns for the proposed AVA and the surrounding regions. Climate normals are only calculated every 10 years, using 30 years of data, and at the time the petition was submitted, the most recent climate normals available were from the period of 1971–2000. (PRISM Climate Group, Oregon State University, *http://prism.oregonstate.edu*, created 4 February 2004.)

[2] In the Winkler climate classification system, annual heat accumulation during the growing season, measured in annual growing degree days (GDD), defines climatic regions. One GDD accumulates for each degree Fahrenheit that a day's mean temperature is above 50 degrees, the minimum temperature required for grapevine growth (''General Viticulture,'' by Albert J. Winkler, University of California Press, 1974, pages 61–64).

established AVAs within the Willamette Valley AVA, and the surrounding regions. The following tables summarize the data from the map:

TABLE 1—AVERAGE GROWING SEASON TEMPERATURES

[Degrees Fahrenheit (F)]

Location	Average minimum temperature	Average maximum temperature	Average mean temperature
Proposed Expansion Area	58.2	59.1	58.6
Temperatures Within Willamette Valley AVA			
Chehalem Mountains AVA	55.9	59.8	58.7
Eola-Amity Hills AVA	57.6	59.5	58.8
McMinnville AVA	57.1	59.6	58.9
Yamhill-Carlton AVA	56.8	59.9	59.0
Ribbon Ridge AVA	58.5	59.4	59.0
Dundee Hills AVA	57.7	59.7	59.1
Temperatures South of Willamette Valley AVA and Proposed Expansion Area			
Umpqua Valley AVA	55.9	61.5	59.3

TABLE 2—GROWING DEGREE DAY ACCUMULATIONS

Location	Average minimum accumulations	Average maximum accumulations	Average mean accumulations
Proposed Expansion Area	1780	1935	1862
GDD Accumulations Within Willamette Valley AVA			
Chehalem Mountains AVA	1382	2093	1885
Eola-Amity Hills AVA	1683	2048	1906
McMinnville AVA	1597	2059	1919
Yamhill-Carlton AVA	1544	2124	1930
Ribbon Ridge AVA	1843	2016	1931
Dundee Hills AVA	1692	2077	1946
GDD Accumulations South of Willamette Valley AVA and Proposed Expansion Area			
Umpqua Valley AVA	1415	2468	2007

The PRISM data shows that during the growing season, the proposed expansion area and the six established AVAs within the larger Willamette Valley AVA all have lower average mean temperatures and average maximum temperatures and higher average minimum temperatures than the Umpqua Valley AVA. Growing season temperatures within the proposed expansion area are most similar to those in the Chehalem Mountains, Eola-Amity Hills, and McMinnville AVAs. Although the average GDD accumulations within the proposed expansion area are lower than those of the six established AVAs within the Willamette Valley AVA, they are more similar to those accumulations than to the higher GDD accumulations of the Umpqua Valley AVA.

The petition also included information on the growing season temperatures, rainfall amounts, and GDD accumulations from a private weather station at the King Estate Vineyard, within the proposed expansion area, and from regional weather stations located in Cottage Grove, Eugene, and Drain, Oregon. According to the petition, Cottage Grove is approximately 11 miles east of the King Estate Vineyard, Eugene is approximately 18 miles northeast of the vineyard, and Drain is just over 15 miles south of the vineyard. The data was collected from each station from April 1 through October 31 from 2008 through 2012. Although data from Eugene was included in the petition, the petitioner states that the data from that location is not a good representative of temperatures within the nearby portions of the Willamette Valley AVA because the weather station is located at the Eugene airport and represents a warmer urban-biased climate. Therefore, although all the climate data provided in the petition is available for viewing in Docket No. TTB–2015–0008, the Eugene data has been omitted from the following table:

TABLE 3—GROWING SEASON CLIMATE DATA

Description	2008	2009	2010	2011	2012	Average
King Estate Vineyard (within proposed expansion area)						
Average Mean Temperature (degrees F)	57.2	58.4	57.0	56.8	58.5	57.6

TABLE 3—GROWING SEASON CLIMATE DATA—Continued

Description	2008	2009	2010	2011	2012	Average
GDD Accumulations	1827	2001	1709	1697	1957	1838
Total Precipitation (inches)	6.84	12.06	21.36	14.09	11.84	13.24
Cottage Grove, OR (east of proposed expansion area, within Willamette Valley AVA)						
Average Mean Temperature (degrees F)	58.3	59.8	58.2	57.8	58.8	58.6
GDD Accumulations	2037	2277	1945	1864	2033	2031
Total Precipitation (inches)	10.32	14.84	22.85	17.47	17.07	16.51
Drain, OR (south of proposed expansion area, in Umpqua Valley AVA)						
Average Mean Temperature (Degrees F)	59.9	60.8	60.0	59.8	60.9	60.3
GDD Accumulations	2302	2467	2280	2238	2419	2341
Total Precipitation (inches)	7.63	12.96	23.06	14.04	15.04	14.55

The data shows that although precipitation amounts within the proposed expansion area are similar to the precipitation amounts for Cottage Grove (located within the Willamette Valley AVA) and Drain (located within the Umpqua Valley AVA), the proposed expansion area's GDD accumulations are more similar to those of the Willamette Valley location. Additionally, the proposed expansion area's average mean temperatures are more similar to that of the Willamette Valley location. The data from the King Estate Winery weather station, within the proposed expansion area, is also similar to that generated by the PRISM mapping system for the entire proposed expansion area, which is summarized in tables 1 and 2.

Soils

The petition included an analysis of the soils of the proposed expansion area. According to the analysis, the five most common soil series within the proposed expansion area are, from most to least common, the Bellpine, Willakenzie, Dupee, Jory, and Peavine series. These five soils cover approximately 74 percent of the proposed expansion area. These soils are also considered to be in the ''xeric'' moisture regime of soil classification. Xeric soils are common in regions with a ''Mediterranean'' climate, which consists of cool, moist winters and warm, dry summers. As a result of the warm, dry summers, xeric soils typically retain little water by the end of the growing season.

According to the petition, there are 23 soil series present within the Willamette Valley AVA, including all five of the most common soil series found within the proposed expansion area. The most common soils within the Willamette Valley AVA are from the Jory series, followed by soils of the Willakenzie series. Soils of the Bellpine, Dupee, and Peavine series are the ninth, eleventh, and twelfth most common soils within the Willamette Valley, respectively.

T.D. ATF–162, which established the Willamette Valley AVA, did not describe the soils of the AVA or the surrounding regions in great detail, only noting that the soils within the AVA were silty loams and clay loams, while the surrounding regions contained ''mountain soils.'' The proposed expansion petition describes the soils outside both the proposed expansion area and the Willamette Valley AVA in more detail. According to the petition, the Peavine soils that are found both in the proposed expansion area and the Willamette Valley AVA are also present in the surrounding regions outside the AVA and the proposed expansion area. However, the region outside the AVA also contains Blanchley, Honeygrove Complex, Bohanon, Preacher, Klickitat, Kirney, and Digger Complex soils, which are not found in either the proposed expansion region or the Willamette Valley AVA. Additionally, the petition notes that, with the exception of the Peavine soils, the soils outside the proposed expansion area and the Willamette Valley AVA are all in the ''udic'' moisture regime of soil classification. Udic soils are common in humid climates where rainfall is evenly distributed throughout the year. As a result, udic soils typically retain even amounts of moisture throughout the year, unlike the drier xeric soils of the proposed expansion area and the Willamette Valley AVA.

Topography

The proposed expansion area is located on the leeward side of the Coast Range Mountains, which shelter the proposed expansion area from most of the cool, moist marine air that flows inward from the Pacific Ocean. The terrain of the proposed expansion area is comprised of foothills and valleys. Elevations within the area range from approximately 500 to 1,200 feet. Vineyards within the proposed expansion area are planted on hillsides at elevations between approximately 600 feet and 1,050 feet.

The topography of the proposed expansion area is similar to that of the established Willamette Valley AVA. The established AVA is composed of rolling hills and valleys between the Coast Range Mountains, which are to the west of the established AVA, and the Cascade Mountains, which are to its east. The Coast Range Mountains shelter the AVA from much of the marine air. Elevations within the AVA are between approximately 115 feet and 1,630 feet. Vineyards are planted on hillsides at elevations between 200 feet and 1,300 feet. Both the Willamette Valley AVA and the proposed expansion area are surrounded by the higher, more mountainous Cascade Mountains to the east of the two areas, the Calapooya Mountains to their south, and the Coast Range Mountains to their west.

Much of the land within the Willamette Valley AVA is part of the Willamette Valley watershed. However, the petition notes that there are portions of the AVA that drain into other rivers, including ''significant acres of land'' in the northern portion of the AVA that drain into the Columbia River. Other portions of the AVA drain into the Sandy River and the Siuslaw River. The proposed expansion area drains into both the Willamette River and the Siuslaw River. By contrast, the region south of the proposed expansion area and the Willamette Valley AVA drains exclusively into the Umpqua River.

TTB Determination

TTB concludes that the petition to expand the boundaries of the established Willamette Valley AVA merits consideration and public

comment, as invited in this notice of proposed rulemaking.

Boundary Description

See the narrative description of the boundary of the petitioned-for expansion area in the proposed regulatory text published at the end of this proposed rule.

Maps

To document the existing and proposed boundaries of the Willamette Valley AVA, the petitioner provided a copy of the required map, and it is listed below in the proposed regulatory text.

Impact on Current Wine Labels

For a wine to be labeled with a viticultural area name or with a brand name that includes an AVA name, at least 85 percent of the wine must be derived from grapes grown within the area represented by that name, and the wine must meet the other conditions listed in § 4.25(e)(3) of the TTB regulations (27 CFR 4.25(e)(3)). If the wine is not eligible for labeling with an AVA name and that name appears in the brand name, then the label is not in compliance and the bottler must change the brand name and obtain approval of a new label. Similarly, if the AVA name appears in another reference on the label in a misleading manner, the bottler would have to obtain approval of a new label. Different rules apply if a wine has a brand name containing an AVA name or other viticulturally significant term that was used as a brand name on a label approved before July 7, 1986. See § 4.39(i)(2) of the TTB regulations (27 CFR 4.39(i)(2)) for details.

The approval of the proposed expansion of the Willamette Valley AVA would not affect any other existing viticultural area. The expansion of the Willamette Valley AVA would allow vintners to use ''Willamette Valley'' as an appellation of origin for wines made primarily from grapes grown within the proposed expansion area if the wines meet the eligibility requirements for the appellation.

Public Participation

Comments Invited

TTB invites comments from interested members of the public on whether it should expand the Willamette Valley AVA as proposed. TTB is specifically interested in receiving comments on the similarity of the proposed expansion area to the established Willamette Valley AVA, as well as the differences between the proposed expansion area and the areas outside the Willamette Valley AVA. Please provide specific information in support of your comments.

Submitting Comments

You may submit comments on this notice of proposed rulemaking by using one of the following three methods:

- *Federal e-Rulemaking Portal:* You may send comments via the online comment form posted with this notice of proposed rulemaking within Docket No. TTB–2015–0008 on ''Regulations.gov,'' the Federal e-rulemaking portal, at *http://www.regulations.gov.* A direct link to that docket is available under Notice No. 152 on the TTB Web site at *http://www.ttb.gov/wine/wine-rulemaking.shtml.* Supplemental files may be attached to comments submitted via Regulations.gov. For complete instructions on how to use Regulations.gov, visit the site and click on the ''Help'' tab.
- *U.S. Mail:* You may send comments via postal mail to the Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Box 12, Washington, DC 20005.
- *Hand Delivery/Courier:* You may hand-carry your comments or have them hand-carried to the Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Suite 400, Washington, DC 20005.

Please submit your comments by the closing date shown above in this notice of proposed rulemaking. Your comments must reference Notice No. 152 and include your name and mailing address. Your comments also must be made in English, be legible, and be written in language acceptable for public disclosure. TTB does not acknowledge receipt of comments, and TTB considers all comments as originals.

In your comment, please clearly state if you are commenting for yourself or on behalf of an association, business, or other entity. If you are commenting on behalf of an entity, your comment must include the entity's name, as well as your name and position title. If you comment via Regulations.gov, please enter the entity's name in the ''Organization'' blank of the online comment form. If you comment via postal mail or hand delivery/courier, please submit your entity's comment on letterhead.

You may also write to the Administrator before the comment closing date to ask for a public hearing. The Administrator reserves the right to determine whether to hold a public hearing.

Confidentiality

All submitted comments and attachments are part of the public record and subject to disclosure. Do not enclose any material in your comments that you consider to be confidential or inappropriate for public disclosure.

Public Disclosure

TTB will post, and you may view, copies of this notice of proposed rulemaking, selected supporting materials, and any online or mailed comments received about this proposal within Docket No. TTB–2015–0008 on the Federal e-rulemaking portal, Regulations.gov, at *http://www.regulations.gov.* A direct link to that docket is available on the TTB Web site at *http://www.ttb.gov/wine/wine_rulemaking.shtml* under Notice No. 152. You may also reach the relevant docket through the Regulations.gov search page at *http://www.regulations.gov.* For information on how to use Regulations.gov, click on the Web site's ''Help'' tab.

All posted comments will display the commenter's name, organization (if any), city, and State, and, in the case of mailed comments, all address information, including email addresses. TTB may omit voluminous attachments or material that the Bureau considers unsuitable for posting.

You may also view copies of this notice of proposed rulemaking, all related petitions, maps and other supporting materials, and any electronic or mailed comments that TTB receives about this proposal by appointment at the TTB Information Resource Center, 1310 G Street NW., Washington, DC 20005. You may also obtain copies at 20 cents per 8.5- x 11-inch page. Please note that TTB is unable to provide copies of USGS maps or other similarly-sized documents that may be included as part of the AVA petition. Contact TTB's information specialist at the above address or by telephone at 202–453–2270 to schedule an appointment or to request copies of comments or other materials.

Regulatory Flexibility Act

TTB certifies that this proposed regulation, if adopted, would not have a significant economic impact on a substantial number of small entities. The proposed regulation imposes no new reporting, recordkeeping, or other administrative requirement. Any benefit derived from the use of an AVA name would be the result of a proprietor's efforts and consumer acceptance of wines from that area. Therefore, no regulatory flexibility analysis is required.

Executive Order 12866

It has been determined that this proposed rule is not a significant regulatory action as defined by Executive Order 12866 of September 30, 1993. Therefore, no regulatory assessment is required.

Drafting Information

Karen A. Thornton of the Regulations and Rulings Division drafted this notice of proposed rulemaking.

List of Subjects in 27 CFR Part 9

Wine.

Proposed Regulatory Amendment

For the reasons discussed in the preamble, TTB proposes to amend title 27, chapter I, part 9, Code of Federal Regulations, as follows:

PART 9—AMERICAN VITICULTURAL AREAS

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

Authority: 27 U.S.C. 205.

Subpart C—Approved American Viticultural Areas

■ 2. Section 9.90 is amended by revising paragraph (b) introductory text, adding new paragraph (b)(4), removing paragraphs (c)(11) through (c)(13), redesignating paragraphs (c)(14) through (c)(32) as paragraphs (c)(18) through (c)(36), and adding new paragraphs (c)(11) through (c)(17) to read as follows:

§ 9.90 Willamette Valley.

* * * * *

(b) *Approved maps.* The approved maps for determining the boundaries of the Willamette Valley viticultural area are three U.S.G.S. Oregon maps scaled 1:250,000 and one U.S.G.S. Oregon map scaled 1:24,000. They are entitled:

* * * * *

(4) ''Letz Creek, OR'' (revised 1984).

(c) * * *

(11) Northeast, then southeast along the 1,000 foot contour line approximately 12 miles to its intersection with the R5W/R6W range line;

(12) South along the R5W/R6W range line approximately 0.25 mile to the intersection with the 1,000 foot contour line;

(13) Generally southeast along the meandering 1,000 foot contour line, crossing onto the Letz Creek map, to a point on the 1,000 foot contour line located due north of the intersection of Siuslaw River Road and Fire Road;

(14) South in a straight line approximately 0.55 mile, crossing over the Siuslaw River and the intersection of Siuslaw River Road and Fire Road, to the 1,000 foot contour line;

(15) Generally southeast along the meandering 1,000 foot contour line, crossing onto the Roseburg, Oregon map, to the intersection of the 1,000 foot contour line with the Lane/Douglas County line;

(16) East along the Lane/Douglas County line approximately 3.8 miles to the intersection with the 1,000 foot contour line just east of the South Fork of the Siuslaw River;

(17) Generally north, then northeast along the 1,000 foot contour line around Spencer Butte, and then generally south to a point along the Lane/Douglas County line 0.5 mile north of Interstate Highway 99;

* * * * *

Signed: June 11, 2015.

John J. Manfreda,

Administrator.

[FR Doc. 2015–15036 Filed 6–17–15; 8:45 am]

BILLING CODE 4810–31–P

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

29 CFR Parts 2509, 2510, and 2550

RIN 1210–AB32; 1210–ZA25

Hearing on Definition of the Term ''Fiduciary''; Conflict of Interest Rule-Retirement Investment Advice and Related Proposed Prohibited Transaction Exemptions

AGENCY: Employee Benefits Security Administration, Labor.

ACTION: Notice of hearing and extension of comment period.

SUMMARY: Notice is hereby given that the Employee Benefits Security Administration (EBSA) will hold a public hearing on August 10, 11, and 12, and continuing through August 13, 2015 (if necessary) to consider issues attendant to adopting a regulation concerning its proposed conflict of interest rule and related proposed prohibited transaction exemptions. The Department also is extending the date by which comments may be submitted on the proposed rule and proposed new and amended exemptions. Public comments on the proposals may now be submitted to the Department on or before July 21, 2015.

DATES: The comment periods for the proposed rule and six proposed prohibited transaction exemptions published on April 20, 2015 (80 FR 21928, 21960, 22004, 22034, 22010, 22021, and 21989) have been extended, and comments on the proposals must be received on or before July 21, 2015. The hearing will be held on August 10, 11, and 12, and continuing through August 13, 2015 (if necessary) beginning each day at 9 a.m. EDT.

ADDRESSES: The hearing will be held in the César E. Chávez Memorial Auditorium at the U.S. Department of Labor, Frances Perkins Building, 200 Constitution Avenue NW., Washington, DC 20210. You may submit a request to testify at the hearing by any of the following methods:

- Email to *e-ORI@dol.gov,* subject line: Conflict of Interest Rule Hearing.
- *Mail:* Office of Regulations and Interpretations, Employee Benefits Security Administration, Attn: Conflict of Interest Rule Hearing, Room N–5655, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

Requests to testify must be received by 5:00 p.m. EDT, July 24, 2015.

You may submit comments on the proposed rule and proposed prohibited transaction exemptions by the methods identified below.

For the proposed rule, identified by RIN 1210–AB32, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow instructions for submitting comments.

Email: e-ORI@dol.gov. Include RIN 1210–AB32 in the subject line of the message.

Mail: Office of Regulations and Interpretations, Employee Benefits Security Administration, Attn: Conflict of Interest Rule, Room N–5655, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

Hand Delivery/Courier: Office of Regulations and Interpretations, Employee Benefits Security Administration, Attn: Conflict of Interest Rule, Room N–5655, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

For the proposed prohibited transactions exemptions, identified by RIN 1210–ZA25, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov at Docket ID number: EBSA–2014–0016. Follow the instructions for submitting comments.

Email to: e-OED@dol.gov. Include RIN 1210–ZA25 in the subject line of the message.

Fax to: (202) 693–8474. Include RIN 1210–ZA25 in the subject line of the message.

Mail: Office of Exemption Determinations, Employee Benefits Security Administration, U.S.

Department of Labor, 200 Constitution Avenue NW., Suite 400, Washington DC 20210. Please include the application number(s) of the proposed prohibited transaction exemption upon which you are commenting: D–11712; D–11713; D–11687; D–11327; D–11820; or D–11850; or any combination thereof.

Hand Delivery/Courier: Office of Exemption Determinations, Employee Benefits Security Administration, U.S. Department of Labor, 122 C St. NW., Suite 400, Washington DC 20001. Please include the application number(s) of the proposed prohibited transaction exemption upon which you are commenting: D–11712; D–11713; D–11687; D–11327; D–11820; or D–11850; or any combination thereof.

FOR FURTHER INFORMATION CONTACT: Fred Wong, Office of Regulations and Interpretations, Employee Benefits Security Administration (EBSA), (202) 693–8510. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: EBSA published in the **Federal Register** on April 20, 2015, a proposed rule that, upon adoption, would define who is a ''fiduciary'' of an employee benefit plan under the Employee Retirement Income Security Act of 1974 (ERISA) as a result of giving investment advice to a plan or its participants or beneficiaries. The proposal also applies to the definition of a ''fiduciary'' of a plan, including an IRA, under section 4975 of the Internal Revenue Code (Code).[1] If adopted, the proposal would treat persons who provide investment advice or recommendations to an employee benefit plan, plan fiduciary, plan participant or beneficiary, IRA, or IRA owner as fiduciaries in a wider array of advice relationships than the existing ERISA and Code regulations, which would be replaced. In the same edition of the **Federal Register** as the proposed regulation, EBSA also proposed new exemptions and amendments to existing exemptions from the prohibited transaction rules applicable to fiduciaries under ERISA and the Code. If adopted, these proposals would allow certain broker-dealers, insurance agents, and others that act as investment advice fiduciaries to continue to receive many common forms of compensation that otherwise would be prohibited as conflicts of interest. The proposed rule, and related exemptions, would increase consumer protection for plan sponsors, fiduciaries, participants, beneficiaries, and IRA owners. For a full discussion of the proposed rule changes see 80 FR 21928 or visit EBSA's Web site at *http://www.dol.gov/ebsa,* see Proposed Rules. For a full discussion of the proposed prohibited transaction exemptions and amendments to existing exemptions, see 80 FR 21960, *et seq.,* or visit EBSA's Web site at *http://www.dol.gov/ebsa* (see Proposed Rules).

Since publication in the **Federal Register**, there has been considerable interest expressed in the proposed rule, the related proposed prohibited transaction exemptions, and the accompanying Regulatory Impact Analysis, as well as several public comments requesting an extension of the comment period. The April 20 **Federal Register** documents provided a 75-day public comment period and required public comments to be submitted on or before July 6, 2015. Although the proposed rule included a 75-day comment period from the date of publication, the Department made clear that the opportunity for public input would not end after 75 days.

In order to ensure that interested persons have sufficient time to share their views on the proposed rule and proposed new and amended prohibited transaction exemptions, EBSA is extending the comment period for submitting comments until July 21, 2015.

The **Federal Register** documents published on April 20 also explained that the Department intended to hold a public hearing within 30 days of the close of the initial comment period, after which the comment period will reopen until approximately two weeks after the hearing transcript is published—a process that we anticipate will provide an additional 30 to 45 days of public comment.

The hearing on this proposed rulemaking will be held on August 10, 11, and 12, and continuing through August 13, 2015 (if necessary) beginning each day at 9 a.m. EDT, in the César E. Chávez Memorial Auditorium of the U.S. Department of Labor, Frances Perkins Building, at 200 Constitution Avenue NW., Washington, DC 20210. The hearing will be transcribed and the comment period will remain open after the conclusion of the hearing until 14 days after the official transcript is posted on EBSA's Web site. Thus, with the 15-day extension of the public comment period announced in this document, the initial comment period will be more than 90 days and, following the public hearing and opening of the comment period until 14 days after the hearing transcript is posted, we anticipate the opportunity for public testimony and comments may be more than 140 days in total.

Persons interested in presenting testimony and answering questions at this public hearing must submit, by 5:00 p.m. EDT, July 24, 2015, a written request to testify and an outline of the issues they would like to address at the hearing. In addition to the outline, all requests to testify must clearly identify: (1) The name of the person desiring to serve as a witness; (2) the organization or organizations represented, if any; (3) contact information (address, telephone, and email), and (4) an indication of whether the person or organization submitted a written comment on the proposal, and, if so, the date of the comment letter. The hearing will be open to the general public. Any individuals with disabilities who need special accommodations should contact EBSA after submitting their written request to testify concerning the scheduling of their testimony.

In addition to testimony on the proposed rule and proposed prohibited transaction exemptions, a portion of the hearing will focus specifically on the Department's Regulatory Impact Analysis, which addresses the effects of conflicts of interest in the market for retirement investment advice and the need for regulation, the anticipated economic effects of the proposal, and the relative merits of certain regulatory alternatives. Thus, a portion of the hearing will be dedicated to testimony from panels of witnesses who specifically request an opportunity to present testimony focused on just the Department's Regulatory Impact Analysis. Persons or organizations who want to have a witness testify during this portion of the hearing should so state in their request to testify and should limit the outline for that witness' testimony accordingly.

Depending upon the number and nature of the requests to testify, and in light of the limited time and space available for the public hearing, EBSA may need to limit the number of those testifying in order to provide an opportunity for the presentation of the broadest array of points of view on all aspects of the proposal during the period allotted for the hearing. The Department expects to organize the hearing into panels of witnesses with three or more witnesses on each panel. The Department will give preference in assigning panel slots to those persons or organizations who have submitted substantive comment letters regarding the proposals by the close of the comment period on July 21. The Department will also give preference, to

[1] Under section 102 of Reorganization Plan No. 4 of 1978, the authority of the Secretary of the Treasury to interpret section 4975 of the Code was transferred, with certain exceptions not here relevant, to the Secretary of Labor. References in this document to sections of ERISA should be read to refer also to the corresponding sections of the Code.

the extent feasible, to parties with similar interests who select a common representative to testify on their behalf. Any persons not afforded an opportunity to testify will still have an opportunity to submit a written statement on the issues specified in their request to testify. Such statements will be included in the record.

To facilitate the receipt and processing of requests to testify, EBSA encourages interested persons to submit their request to testify at the hearing and outlines by email to *e-ORI@dol.gov,* subject line: Conflict of Interest Rule Hearing. Persons submitting requests and outlines electronically should not submit paper copies. Persons submitting requests and outlines on paper should send or deliver their requests and outlines to the Office of Regulations and Interpretations, Employee Benefits Security Administration, Attn: Conflict of Interest Rule Hearing, Room N–5655, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210. All requests and outlines submitted will be available to the public, without charge, online at *http://www.dol.gov/ebsa* and at the Public Disclosure Room, N–1515, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

EBSA will prepare an agenda indicating the order of presentation of oral testimony. In the absence of special circumstances, each presenter will be allotted ten (10) minutes in which to complete his or her presentation. Those individuals who make oral comments and present testimony at the hearing should be prepared to answer questions regarding their information and comments. Those requesting to testify also should be prepared to participate as part of a panel. Information about the agenda for the hearing will be posted on *http://www.dol.gov/ebsa* no later than August 3, 2015.

The hearings will be open to the public, but seating will be limited and will be provided on a first-come, first-serve basis. Witnesses and persons accompanying witnesses will be given priority in seating. To expedite visitor security access entrance into the building, individuals planning to attend the hearing can provide contact information by email to *e-ORI@dol.gov,* and arrive at least 20 minutes prior to the start of the hearing.

Notice of Public Hearing

Notice is hereby given that a public hearing will be held on August 10, 11, and 12, and continuing through August 13, 2015 (if necessary) concerning the proposed Conflict of Interest Rule and proposed prohibited transaction exemptions published in the **Federal Register** on April 20, 2015 (80 FR 21928). The hearing will be held beginning at 9 a.m. EDT in the César E. Chávez Memorial Auditorium of the U.S. Department of Labor, Frances Perkins Building, 200 Constitution Avenue NW., Washington, DC 20210.

Notice of Extension of Comment Period

Notice is hereby given that the period for submitting comments on the proposed Conflict of Interest Rule and proposed prohibited transaction exemptions published in the **Federal Register** on April 20, 2015 (80 FR 21928, *et seq.*) is being extended until July 21, 2015. Information on how to submit comments by email, mail, by hand, or by courier is in the Notice of Proposed Rulemaking and Notices of Proposed Exemptions published in the **Federal Register** on April 20, 2015. Those documents are also available electronically at *www.dol.gov/ebsa/regs/conflictsofinterest.html.* All comments will be available to the public, without charge, online at *http://www.regulations.gov* and *http://www.dol.gov/ebsa* or at the Public Disclosure Room, N–1513, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210. *Warning:* Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments may be posted on the Internet and can be retrieved by most Internet search engines. Comments may be submitted anonymously.

Signed at Washington, DC, this 12th day of June, 2015.

Phyllis C. Borzi,

Assistant Secretary for Employee Benefits Security, Department of Labor.

[FR Doc. 2015–14921 Filed 6–16–15; 8:45 am]

BILLING CODE 4510–29–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 228

[EPA–R06–OW–2015–0121; FRL–9929–30–Region 6]

Ocean Dumping: Proposed Modification of Final Site Designation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency EPA proposes to modify the use restrictions of the Galveston, TX Dredged Material Site, Freeport Harbor, TX, New Work (45 Foot Project), Freeport Harbor, TX, Maintenance (45 Foot Project), Matagorda Ship Channel, TX, Corpus Christi Ship Channel, TX, Port Mansfield, TX, Brazos Island Harbor, TX and Brazos Island Harbor (42-Foot Project), TX Ocean Dredged Material Disposal Sites (ODMDSs) located in the Gulf of Mexico offshore of Galveston, Freeport, Matagorda, Corpus Christi, Port Mansfield and Brownsville, Texas, respectively. These sites are EPA designated ocean dumping sites for the disposal of suitable dredged material. This proposed action is being taken because there are current restrictions in place with language that prevent disposal of suitable dredged material from locations other than the federal channels. The United States Army Corps of Engineers Galveston District has requested EPA amend the restrictions to allow disposal of suitable dredged material from the vicinity of federal navigation channels to alleviate pressure on the capacity of their upland dredged material placement areas, when necessary.

DATES: *Comments.* Comments on this proposed rule must be received on or before August 3, 2015.

ADDRESSES: Submit your comments, identified by Docket No. EPA–R06–OW–2015–0121, by one of the following methods:

Federal e-Rulemaking Portal: http://www.regulations.gov; follow the online instruction for submitting comments.

- *Email:* Dr. Jessica Franks at *franks.jessica@epa.gov.*
- *Fax:* Dr. Jessica Franks, Marine and Coastal Section (6WQ–EC) at fax number 214–665–6689.
- *Mail:* Dr. Jessica Franks, Marine and Coastal Section (6WQ–EC), Environmental Protection Agency, Mailcode: (6WQ–EC), 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202–2733.

Instructions: Direct your comments to Docket No. EPA–R06–OW–2015–0121. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov*

or email. The *www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Marine and Coastal Section (6WQ–EC), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202–2733. The file will be made available by appointment for public inspection in the Region 6 FOIA Review Room between the hours of 8:30 a.m. and 4:30 p.m. weekdays except for legal holidays. Contact the person listed in the **FOR FURTHER INFORMATION CONTACT** paragraph below. If possible, please make the appointment at least two working days in advance of your visit. There will be a 15 cent per page fee for making photocopies of documents. On the day of the visit, please check in at the EPA Region 6 reception area at 1445 Ross Avenue, Suite 700, Dallas, Texas.

FOR FURTHER INFORMATION CONTACT: Jessica Franks, Ph.D., Marine and Coastal Section (6WQ–EC), Environmental Protection Agency, Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202–2733, telephone (214) 665–8335, fax number (214) 665–6689; email address *franks.jessica@epa.gov.*

SUPPLEMENTARY INFORMATION:

Table of Contents

A. Potentially Affected Persons
B. Background
C. Proposed Action
D. Administrative Review
Executive Order 12886
Paperwork Reduction Act
Regulatory flexibility Act, as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996
Unfunded Mandates
Executive Order 13132: Federalism
Executive Order 13175: Consultation and Coordination With Indian Tribal Governments
Executive Order 13045: Protection of Children From Environmental Health and Safety Risks
Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use Compliance With Administrative Procedure Act
National Technology Transfer Advancement Act
Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low Income Populations
List of subjects in 40 CFR Part 228

Part 228—(AMENDED)

A. Potentially Affected Persons

Persons potentially affected by this action include those who seek or might seek permits or approval by EPA to dispose of dredged material into ocean waters pursuant to the Marine Protection Research and Sanctuaries Act, *33 U.S.C. 1401 et seq.* EPA's action would be relevant to persons, including organizations and government bodies seeking to dispose of dredged material in ocean waters offshore of Galveston, Freeport, Matagorda, Corpus Christi, Port Mansfield and Brownsville, Texas. Currently, the U.S. Army Corps of Engineers (Corps) and other persons with permits to use designated sites offshore of Galveston, Freeport, Matagorda, Corpus Christi, Port Mansfield, and Brownsville, Texas would be most impacted by this final action. Potentially affected categories and persons include:

Category	Examples of potentially regulated persons
Federal government	USACE Civil Works and O & M projects; other Federal agencies, including the Department of Defense.
Industry and general public	Port authorities, marinas and harbors, shipyards and marine repair facilities, berth owners.
State, local and tribal governments.	Governments owning and/or responsible for ports, harbors, and/or berths, Government agencies requiring disposal of dredged material associated with public works projects.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding persons likely to be affected by this action. For any questions regarding the applicability of this action to a particular entity, please refer to the contact person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

B. Background

Section 102(c) of the Marine Protection, Research, and Sanctuaries Act (MPRSA) of 1972, as amended, 33 U.S.C. 1401 *et seq.,* gives the Administrator of EPA the authority to designate sites where ocean disposal may be permitted. On October 1, 1986, the Administrator delegated the authority to designate ocean disposal sites to the Regional Administrator of the Region in which the sites are located. These proposed modification are being made pursuant to that authority.

The EPA Ocean Dumping Regulations promulgated under MPRSA (40 CFR Chapter I, Subchapter H, Section 228.11) state that modifications in disposal site use which involve withdrawal of disposal sites from use or permanent changes in the total specified quantities or types of wastes permitted to be discharged to a specific disposal site will be made by promulgation in this Part 228. This site modification of types of wastes permitted to be discharged to a specific disposal site are being published as proposed rulemaking in accordance with § 228.11(a) of the Ocean Dumping Regulations, which permits changes in the total specified quantities or types of wastes permitted to be discharged to a specific disposal site based upon changed circumstances concerning use of the site.

C. Proposed Action

The proposed modification of the use restrictions on the Galveston, TX Dredged Material Site, Freeport Harbor, TX, New Work (45 Foot Project), Freeport Harbor, TX, Maintenance (45 Foot Project), Matagorda Ship Channel, TX, Corpus Christi Ship Channel, TX, Port Mansfield, TX, Brazos Island Harbor, TX and Brazos Island Harbor

(42-Foot Project), TX ODMDSs was requested by the US Army Corps of Engineers Galveston District in a March 27, 2015 letter. The current wording within the 40CFR§ 228.15 restricts the use of these ODMDS to only dredged material originating from specific federal channel reaches associated with each ODMDS. For Freeport Harbor, TX, New Work (45 Foot Project) ODMDS and the Brazos Island Harbor (42-Foot Project), the ODMDSs are restricted to receive only construction dredged material from channel improvement projects at Freeport and Brazos Island Harbor, respectively. Modeling shows that future disposal capacity is limited at the placement areas typically used by the Galveston District when ocean disposal is not an option. As a result of these limitations, there is a need to change the use restrictions placed on these ODMDSs to include suitable dredged material from the greater vicinities of the respective federal channels. The proposed restriction modification will provide for sufficient future dredged material disposal capacity for material originating from dredging areas within each Federal channel and its vicinity.

D. Administrative Review

1. Executive Order 12866

Under Executive Order 12866 (58 FR 51735, October 4, 1993) EPA must determine whether the regulatory action is ''significant,'' and therefore subject to office of Management and Budget (OMB) review and other requirements of the Executive Order. The Order defines ''significant regulatory action'' as one that is likely to lead to a rule that may:

(a) 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;

(b) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(c) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof: or

(d) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

This Proposed Rule should have minimal impact on State, local, or Tribal governments or communities. Consequently, EPA has determined that this Proposed Rule is not a ''significant regulatory action'' under the terms of Executive Order 12866.

2. Paperwork Reduction Act

The Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.,* is intended to minimize the reporting and recordkeeping burden on the regulated community, as well as to minimize the cost of Federal information collection and dissemination. In general, the Act requires that information requests and record-keeping requirements affecting ten or more non-Federal respondents be approved by OMB. Since the Proposed Rule would not establish or modify any information or recordkeeping requirements, but only clarifies existing requirements, it is not subject to the provisions of the Paperwork Reduction Act.

3. Regulatory Flexibility Act, as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996

The Regulatory Flexibility Act (RFA) generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental jurisdictions.

This proposed rule will not impose any requirements on small entities. The modification of the Galveston, TX Dredged Material Site, Freeport Harbor, TX, New Work (45 Foot Project), Freeport Harbor, TX, Maintenance (45 Foot Project), Matagorda Ship Channel, TX, Corpus Christi Ship Channel, TX, Port Mansfield, TX, Brazos Island Harbor, TX and Brazos Island Harbor (42-Foot Project), TX ODMDSs broadens the use of the sites providing additional options for dredged material placement in the Galveston, Freeport, Matagorda, Corpus Christi, Port Mansfield and Brownsville, Texas vicinities.

For these reasons, the Regional Administrator certifies, pursuant to section 605(b) of the RFA, that the Proposed Rule will not have a significant economic impact on a substantial number of small entities.

4. Unfunded Mandates Reform Act

This Proposed Rule contains no Federal mandates under the provisions of Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) of 1995 (Pub. L. 104–4) for State, local, or tribal governments or the private sector that may result in estimated costs of $100 million or more in any year. It imposes no new enforceable duty on any State, local or tribal governments or the private sector nor does it contain any regulatory requirements that might significantly or uniquely affect small government entities. Thus, the requirements of section 203 of the UMRA do not apply to this Proposed Rule.

5. Executive Order 13132: Federalism

Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999), requires EPA to develop an accountable process to ensure meaningful and timely input by State and local officials in the development of regulatory *policies that have federalism implications. ''Policies that have federalism implications''* are defined in the Executive Order to include regulations that 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.''

This Proposed Rule 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, as specified in Executive Order 13132.

6. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000), requires EPA to develop an accountable process to ensure ''meaningful and timely input by Tribal officials in the development of regulatory policies that have Tribal implications.'' This Final Rule does not have Tribal implications, as defined in Executive Order 13175.

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

This Executive Order (62 FR 19885, April 23, 1997) applies to any rule that: (1) Is determined to be ''economically significant'' as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, EPA must evaluate the environmental health or safety effects of the planned rule on children, and explain why the

planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by EPA. This Proposed Rule is not subject to the Executive Order because it is not economically significant as defined in Executive Order 12866, and because EPA does not have reason to believe the environmental health or safety risks addressed by this action present a disproportionate risk to children.

8. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use Compliance With Administrative Procedure Act

This Proposed Rule is not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355 (May 22, 2001)) because it is not a significant regulatory action under Executive Order 12866.

9. National Technology Transfer Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (''NTTAA''), Public Law 104–113, 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. This Proposed Rule does not involve technical standards. Therefore, EPA is not considering the use of any voluntary consensus standards.

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

Executive Order 12898 (59 FR 7629) directs Federal agencies to determine whether the Proposed Rule would have a disproportionate adverse impact on minority or low-income population groups within the project area. The Proposed Rule would not significantly affect any low-income or minority population.

List of Subjects in 40 CFR Part 228

Environmental protection, Water pollution control.

Dated: June 8, 2015.

Ron Curry,

Regional Administrator, Region 6.

For the reasons stated in the preamble, EPA is proposing to amend 40 CFR part 228 as follows:

PART 228— CRITERIA FOR THE MANAGEMENT OF DISPOSAL SITES FOR OCEAN DUMPING

■ 1. The authority citation for part 228 continues to read as follows:

Authority: 33 U.S.C. 1412 and 1418.

■ 2. Section 228.15 is amended by revising paragraphs (j)(12)(vi), (j)(13)(vi), (j)(14)(vi), (j)(15)(vi), (j)(17)(vi), (j)(18)(vi), (j)(19)(vi), (j)(20)(vi) to read as follows:

§ 228.15 Dumping sites designated on a final basis.

* * * * *

(j) * * *

(12) * * *

(vi) *Restrictions:* Disposal shall be limited to suitable dredged material from the greater Houston-Galveston, Texas vicinity. Disposal shall comply with conditions set forth in the most recent approved Site Management and Monitoring Plan.

(13) * * *

(vi) *Restrictions:* Disposal shall be limited to suitable dredged material from the greater Freeport, Texas vicinity. Disposal shall comply with conditions set forth in the most recent approved Site Management and Monitoring Plan.

(14) * * *

(vi) *Restrictions:* Disposal shall be limited to suitable dredged material from the greater Freeport, Texas vicinity. Disposal shall comply with conditions set forth in the most recent approved Site Management and Monitoring Plan.

(15) * * *

(vi) *Restrictions:* Disposal shall be limited to suitable dredged material from the greater Matagorda, Texas vicinity. Disposal shall comply with conditions set forth in the most recent approved Site Management and Monitoring Plan.

(17) * * *

(vi) *Restrictions:* Disposal shall be limited to suitable dredged material from the greater Corpus Christi, Texas vicinity. Disposal shall comply with conditions set forth in the most recent approved Site Management and Monitoring Plan.

(18) * * *

(vi) *Restrictions:* Disposal shall be limited to suitable dredged material from the greater Port Mansfield, Texas vicinity. Disposal shall comply with conditions set forth in the most recent approved Site Management and Monitoring Plan.

(19) * * *

(vi) *Restrictions:* Disposal shall be limited to suitable dredged material from the greater Brownsville, Texas vicinity. Disposal shall comply with conditions set forth in the most recent approved Site Management and Monitoring Plan.

(20) * * *

(vi) *Restrictions:* Disposal shall be limited to suitable dredged material from the greater Brownsville, Texas vicinity. Disposal shall comply with conditions set forth in the most recent approved Site Management and Monitoring Plan.

* * * * *

[FR Doc. 2015–15002 Filed 6–17–15; 8:45 am]

BILLING CODE 6560–50–P

NATIONAL TRANSPORTATION SAFETY BOARD

49 CFR Part 800

[Docket No. NTSB–GC–2012–0002]

RIN 3147–AA03

Organization and Functions of the Board and Delegations of Authority

AGENCY: National Transportation Safety Board (NTSB or Board).

ACTION: Notice of proposed rulemaking.

SUMMARY: The NTSB proposes a new subpart within part 800 of its regulations to outline the NTSB's rulemaking procedures.

DATES: Comments must be submitted by July 20, 2015.

ADDRESSES: A copy of this notice, published in the **Federal Register** (FR), is available for inspection and copying in the NTSB's public reading room, located at 490 L'Enfant Plaza SW., Washington, DC 20594–2003. Alternatively, a copy is available on the government-wide Web site on regulations at *http://www.regulations.gov* (Docket ID Number NTSB–GC–2012–0002).

FOR FURTHER INFORMATION CONTACT: David Tochen, General Counsel, (202) 314–6080.

SUPPLEMENTARY INFORMATION:

I. Background

On June 25, 2012, the NTSB published a proposed rule indicating its intent to undertake a review of all NTSB regulations to ensure they are updated. 77 FR 37865. The NTSB initiated this review in accordance with Executive Order 13579, ''Regulation and Independent Regulatory Agencies'' (76 FR 41587, July 14, 2011). The purpose of Executive Order 13579 is to ensure all agencies adhere to the key principles found in Executive Order 13563,

''Improving Regulation and Regulatory Review'' (76 FR 3821, January 21, 2011), which include promoting public participation in rulemaking, improving integration and innovation, promoting flexibility and freedom of choice, and ensuring scientific integrity during the rulemaking process in order to create a regulatory system that protects public health, welfare, safety, and the environment while promoting economic growth, innovation, competitiveness, and job creation. The NTSB is committed to ensuring its regulations remain up-to-date and comply with these principles. This notice describes amendments to part 800 of 49 CFR (Organization and Functions of the Board and Delegations of Authority) that effect the agency's internal policies.

This Notice proposes the addition of a new subpart within part 800: Subpart C, titled ''Procedures for Adoption of Rules.'' Subpart C describes the agency's rulemaking procedures. As stated above, the NTSB has undertaken a comprehensive review of all its regulations, in order to update them and ensure they accurately reflect the NTSB's current practices and contain correct information. In addition to the ongoing comprehensive review, the NTSB has also proposed and promulgated several changes to part 821 of 49 CFR (Rules of Practice in Air Safety Proceedings) and part 826 of 49 CFR (Rules Implementing the Equal Access to Justice Act). These recent rulemaking activities point out a need for procedural rules describing the NTSB's rulemaking practices. For example, this new subpart includes a section concerning interim final rules, and direct final rulemaking authority. The NTSB believes these sections will be beneficial in assisting public understanding of agency procedures for all types of rulemaking projects.

II. Discussion of Proposed Additions

Many of the new sections we propose are self-explanatory. As the Plain Writing Act of 2010, Public Law 111–274, 5 U.S.C. 301 note, and Executive Orders 12866 at § 1(b)(12) and 12988 at § 3(b)(2) require, the NTSB's proposed language in these new sections is clear and unambiguous. The NTSB has used regulations from the Department of Transportation as a model for the proposed text in this NPRM. *See, e.g.,* 49 CFR 5.1–5.35 (Office of Secretary of Transportation); 49 CFR part 389, subpart B (Federal Motor Carrier Safety Administration).

A. General Rulemaking Provisions: §§ 800.30–800.34

The NTSB proposes § 800.30 to clarify the rules within proposed subpart C will only apply to rulemakings the NTSB initiates under its enabling statute, at 49 U.S.C. 1101–1155. The NTSB notes the agency's specific rulemaking authority is codified at 49 U.S.C. 1113(f); however, we propose a reference to sections 1101–1155 to provide for the possibility of enactment of rulemaking authority within other sections of the NTSB's authorizing legislation.

The NTSB proposes § 800.31 to notify the public of the location of publicly available rulemaking documents. The NTSB utilizes *www.regulations.gov* for organizing and publishing rulemaking documents and public comments. Proposed § 800.31 apprises the public of the existence of this electronic site.

Proposed §§ 800.32, 800.33, and 800.34 describe the manner in which the NTSB initiates rulemaking projects, the NTSB's practice of complying with the Administrative Procedure Act's informal rulemaking procedures by publishing notices of proposed rulemaking, and the expected contents of notices of proposed rulemaking. Proposed § 800.33 includes a phrase indicating the NTSB may not issue a notice of proposed rulemaking if the agency finds ''notice is impracticable, unnecessary, or contrary to the public interest,'' and the agency ''incorporates that finding and a brief statement of the reasons for it in the rule.'' As discussed below, such a procedure is permissible under the Administrative Procedure Act. While the NTSB does not anticipate engaging in such a procedure with frequency, the agency believes it suitable to provide for the exception in the text of § 800.33. The NTSB also proposes including a reference to the Administrative Procedure Act, at 5 U.S.C. 551, because the statute imposes specific procedures and requirements on agencies who engage in rulemaking.

The NTSB proposes § 800.34 to inform the public of what each notice of proposed rulemaking will contain. For example, this section will require the NTSB provide specific information concerning the availability of rulemaking documents, and dates that apply to comment periods. The NTSB believes this section will ensure the NTSB's notices of proposed rulemaking consistently contain the information necessary to ensure the public may participate in the rulemaking process with ease.

B. Public Participation: §§ 800.35–800.38

The NTSB understands providing for the opportunity for public participation in rulemaking is a hallmark of the Administrative Procedure Act. As a result, the NTSB proposes the addition of regulations describing the procedures for public participation. In § 800.35, the NTSB proposes text stating any interested person may participate in a rulemaking project by submitting written comments. The NTSB emphasizes this invitation is open to all interested individuals. The NTSB also proposes a provision stating the agency may exercise its discretion to invite any interested person to participate in rulemaking procedures. Such an invitation might include the NTSB identifying organizations that might be able to offer expertise in a specific subject matter, and requesting those organizations consider submitting written comments with relevant information. Maintaining discretion to engage in such a practice will ensure the NTSB gains the most relevant, helpful information in promulgating its regulations.

The NTSB also proposes a regulation specifying procedures regarding petitions for extension of time to submit comments, in § 800.36. The NTSB proposes a requirement stating the NTSB must receive such petitions no later than 10 days before the end of the comment period stated in the notice, unless a petitioner establishes good cause exists to extend the time for comments. If the NTSB grants a petition and extends the comment period, the proposed version of § 800.36 will require the NTSB to publish a notice of the extension in the **Federal Register**. Similar to other agencies, the NTSB proposes a rule concerning the content and format of written comments at § 800.37. The NTSB proposes requiring comments be in English and not exceed 15 pages. The proposed text states the NTSB accepts attachments to comments, and requires adherence to the electronic filing instructions on the Federal Docket Management System Web site when a commenter seeks to submit a comment electronically. In the event the Federal Docket Management System Web site is unserviceable or presents unforeseen problems preventing the timely submission of a comment, the NTSB will err on the side of accepting comments and assisting commenters. In addition, the NTSB proposes a sentence stating it will not accept frivolous, abusive, or repetitious comments.

The NTSB also proposes a statement in § 800.38 that the agency will consider

all timely-filed comments before it takes final action on a rulemaking proposal. The NTSB further proposes including a statement that the agency may consider late-filed comments ''to the extent practicable.'' The NTSB has included these statements in the preambles of notices of proposed rulemaking the agency has recently published. Codifying these concepts in a regulation communicates the NTSB takes seriously its consideration of all comments it receives.

C. Proceedings and Documents: §§ 800.39–800.41

The NTSB proposes including in § 800.39 the statement that the agency may initiate any further rulemaking proceedings it finds necessary or desirable. In this proposed rule, we provide the examples of inviting interested persons to make oral arguments; inviting participation in conferences with the agency and interested persons; inviting appearance at informal hearings presided over by officials designated by the agency; or participating ''in any other proceeding to assure informed administrative action and to protect the public interest.'' The NTSB notes, for such examples, the agency would ensure notes and/or a transcript of the proceedings would be kept. In general, the NTSB would include such items in the rulemaking record in the Federal Docket Management System. The NTSB's inclusion of proposed § 800.39 acknowledges that public participation is critical to its rulemaking process and such participation may take different forms. In addition to initiating various types of rulemaking procedures, the NTSB also is mindful that, with regard to some rules, issuing a written interpretation clarifying or explaining the applicability of a rule may be beneficial. The NTSB may issue such a written interpretation as a Notice published in the **Federal Register,** to ensure public awareness of the interpretation. The NTSB believes such interpretations assist in promoting transparency and understanding the NTSB's rules, some of which may involve technical information that would benefit from further explanation.

The NTSB proposes §§ 800.40 (''Hearings'') and 800.41 (''Adoption of final rules'') stating the NTSB will only hold ''informal'' hearings, rather than ''formal'' hearings specified in 5 U.S.C. 556 and 557. At any such informal hearing, the agency will designate a representative, such as the agency's General Counsel, to conduct the hearing. For clarification, the NTSB notes such rulemaking hearings are distinctive from those described in parts 821 (Rules of Practice in Air Safety Proceedings) and 845 (Rules of Practice in Transportation: Accident/Incident Hearings and Reports) of this chapter. Proposed § 800.41 describes internal agency procedures for adopting and issuing a Final Rule: The program office works with the NTSB's Office of General Counsel to draft the Final Rule and present it to the Board for consideration. If the Board chooses to adopt the Final Rule, the agency will publish the Final Rule in the **Federal Register**.

D. Petitions for Rulemaking: §§ 800.42–800.43

The NTSB proposes § 800.42 concerning petitions for rulemaking, which any interested person may submit. The proposed text specifies where petitioners must send the petition and requires the petition specify the rule the petitioner seeks to have amended or repealed. Conversely, the proposed section indicates a petition for rulemaking may propose the existence of a new rule. The petition must explain the petitioner's interest in the action he or she requests, as well as information and arguments to support the action sought.

Section 800.43 proposes text describing how the NTSB will handle petitions for rulemaking. The proposed text states the NTSB will not hold hearings, arguments, or other proceedings on issues raised in the petition, unless the NTSB specifies otherwise. The proposed text of the section states the agency may grant or deny a petition for rulemaking, and will notify the petitioner of its decision.

E. Direct and Interim Final Rules: §§ 800.44–800.45

The NTSB proposes sections concerning direct final rulemaking and interim final rules. The NTSB proposes to use the direct final rulemaking procedure to streamline the rulemaking process where the rule is noncontroversial and the agency does not expect adverse comment.

Direct final rulemaking will reduce the time and resources necessary to develop, review, clear, and publish separate proposed and final rules for rulemakings the agency expects to be noncontroversial and unlikely to result in adverse public comment. Several federal agencies use this process, including various Department of Transportation operating administrations. *See, e.g.,* 49 CFR 5.35 (Office of Secretary of Transportation); 49 CFR 11.31 (Federal Aviation Administration); 49 CFR 190.339 (Pipeline and Hazardous Materials Safety Administration); 49 CFR 211.33 (Federal Railroad Administration); 49 CFR 389.39 (Federal Motor Carrier Safety Administration); 49 CFR 601.22 (Federal Transit Administration).

In engaging in the direct final rulemaking procedure for certain rules, the NTSB would first determine whether a particular rulemaking is noncontroversial and unlikely to result in adverse comments based on its experience in previous rulemaking projects. Adverse comments are those comments that are critical of the rule, suggest that the rule should not be adopted, or suggest a change to the rule. The NTSB would not consider adverse comments to be those outside the scope of the rule or those suggesting the rule's policy or requirements should or should not be extended to other agency programs outside the scope of the rule.

After making the determination a rule would be appropriate for direct final rulemaking, the NTSB would publish the rule as a direct final rule in the **Federal Register**. The document would state in the preamble that the agency does not anticipate adverse comments and that, unless it receives written adverse comments or written notice of intent to submit adverse comments, the rule would become effective a specified number of days after the date of its publication in the **Federal Register**. If the NTSB receives adverse comments, or receives notice of intent to file adverse comments by the date specified in the direct final rule, it would publish a rule in the **Federal Register** withdrawing the direct final rule before it goes into effect. The NTSB may then publish a notice of proposed rulemaking with a new comment period if the agency decides to go forward with the rulemaking. If no adverse comments or written notice of intent to submit adverse comments are received by the date specified in the direct final rule, the NTSB would publish the rule in the **Federal Register** stating that it did not receive any adverse comments and confirming the effective date of the rule.

Proposed § 800.44 sets forth the process outlined above and describes noncontroversial rules appropriate for final rulemaking. Noncontroversial rules include technical clarifications or corrections to existing rules, incorporation by reference, rules that affect internal procedures of the NTSB, such as filing requirements, and rules governing inspection and copying of documents. The NTSB may also use direct final rulemaking for a particular rule if similar rules had been previously proposed and published without adverse comment. Even if a rulemaking falls into one of the above categories, if

adverse comments are anticipated, the NTSB would not use the direct final rulemaking process. The NTSB believes the additional time and resources expended to withdraw the rule and republish it for comment will serve as an incentive for the agency to make careful determinations as to whether this procedure is appropriate.

Finally, the NTSB proposes § 800.45 to describe interim final rules. The NTSB may issue an interim final rule, which is an immediately effective rule, when it is in the public interest to promulgate an effective rule while keeping the rulemaking open for further refinement. The NTSB's proposed text includes the examples of when ''normal procedures for notice and comment prior to issuing an effective rule are not required, minor changes to the final rule may be necessary after the interim rule has been in place for some time, or the interim rule only implements portions of a proposed rule, while other portions of the proposed rule are still under development.'' This list of examples is not exhaustive; indeed, in 2012, the NTSB issued an interim final rule to amend certain procedural rules related to aviation certificate enforcement appeals. 77 FR 63242 (Oct. 16, 2012). Such rules needed to take effect quickly, as the changes were required by the enactment of Pilot's Bill of Rights. Public Law 112–53, 126 Stat. 1159 (Aug. 3, 2012). As a result, the NTSB utilized the interim final rulemaking process to ensure compliance with the legislative changes. The NTSB believes the proposed text of § 800.45 explains the interim final rulemaking process to ensure the public is aware of the process and when the NTSB might issue interim final rules.

List of Subjects in 49 CFR Part 800

Administrative practice and procedure, Authority delegations (Government agencies), Government employees, Organization and functions (Government agencies).

For the reasons discussed in the preamble, the NTSB proposes to amend 49 CFR part 800 as follows:

PART 800—ADMINISTRATIVE RULES

■ 1. Revise the authority citation for 49 CFR part 800 to read as follows:

Authority: 49 U.S.C. 1113(f), unless otherwise noted.

■ 2. Revise the part heading to read as set forth above.

■ 3. Add subpart C to 49 CFR part 800 to read as follows:

Subpart C—Procedures for Adoption of Rules

Sec.

800.30 Applicability.
800.31 Public reading room.
800.32 Initiation of rulemaking.
800.33 Notice of proposed rulemaking.
800.34 Contents of notices of proposed rulemaking.
800.35 Participation of interested persons.
800.36 Petitions for extension of time to comment.
800.37 Contents of written comments.
800.38 Consideration of comments received.
800.39 Additional rulemaking proceedings.
800.40 Hearings.
800.41 Adoption of final rules.
800.42 Petitions for rulemaking.
800.43 Processing of petition.
800.44 Direct final rulemaking procedures.
800.45 Interim rulemaking procedures.

Subpart C—Procedures for Adoption of Rules

§ 800.30 Applicability.

This subpart prescribes rulemaking procedures that apply to the issuance, amendment, and revocation of rules pursuant to 49 U.S.C. 1101–1155.

§ 800.31 Public reading room.

Information and data deemed relevant by the NTSB relating to rulemaking actions, including notices of proposed rulemaking; comments received in response to notices; petitions for rulemaking and reconsideration; denials of petitions for rulemaking; and final rules are maintained in the NTSB's public reading room, located at 490 L'Enfant Plaza SW., Washington, DC 20594–2003.

§ 800.32 Initiation of rulemaking.

The NTSB may initiate rulemaking either on its own motion or on petition by any interested person after a determination that grant of the petition is advisable. The NTSB may also consider the recommendations of other agencies of the United States.

§ 800.33 Notice of proposed rulemaking.

Unless the NTSB, for good cause, finds notice is impracticable, unnecessary, or contrary to the public interest, and incorporates that finding and a brief statement of the reasons for it in the rule, a notice of proposed rulemaking is issued and interested persons are invited to participate in the rulemaking proceedings under applicable provisions of 5 U.S.C. 551.

§ 800.34 Contents of notices of proposed rulemaking.

(a) Each notice of proposed rulemaking is published in the **Federal Register**.

(b) Each notice includes:

(1) A statement of the time, place, and nature of the proposed rulemaking proceeding;

(2) A reference to the authority under which it is issued;

(3) A description of the subjects and issues involved or the substance and terms of the proposed rule;

(4) A statement of the time within which written comments must be submitted; and

(5) A statement of how and to what extent interested persons may participate in the proceedings.

§ 800.35 Participation of interested persons.

(a) Any interested person may participate in rulemaking proceeding by submitting comments in writing containing information, views or arguments.

(b) In its discretion, the agency may invite any interested person to participate in the rulemaking procedures described in this subpart.

§ 800.36 Petitions for extension of time to comment.

A petition for extension of the time to submit comments must be received not later than 10 days before the end of the comment period stated in the notice. The petition must be submitted to: General Counsel, National Transportation Safety Board, 490 L'Enfant Plaza SW., Washington, DC 20594–2003. The filing of the petition does not automatically extend the time for petitioner's comments. Such a petition is granted only if the petitioner shows good cause for the extension, and if the extension is consistent with the public interest. If an extension is granted, it is granted to all persons, and the NTSB will publish a notice of the extension of the comment period in the **Federal Register**.

§ 800.37 Contents of written comments.

All written comments shall be in English. Unless otherwise specified in a notice requesting comments, comments may not exceed 15 pages in length, but necessary attachments may be appended to the submission without regard to the 15-page limit. Any commenter shall submit as a part of his or her written comments all material he or she considers relevant to any statement of fact made in the comment. Commenters should avoid incorporation by reference. However, if incorporation by reference is necessary, the incorporated material shall be identified with respect to document and page. The NTSB may reject comments if they are frivolous, abusive, or repetitious. The NTSB may also reject comments filed electronically

if the commenter does not adhere to the electronic filing instructions at the Federal Docket Management System Web site.

§ 800.38 Consideration of comments received.

All timely comments are considered before final action is taken on a rulemaking proposal. Late filed comments may be considered to the extent practicable.

§ 800.39 Additional rulemaking proceedings.

The NTSB may initiate any further rulemaking proceedings it finds necessary or desirable. For example, interested persons may be invited to make oral arguments, to participate in conferences between the Board or a representative of the Board and interested persons at which minutes of the conference are kept, to appear at informal hearings presided over by officials designated by the Board, at which a transcript or minutes are kept, or participate in any other proceeding to assure informed administrative action and to protect the public interest.

§ 800.40 Hearings.

(a) Sections 556 and 557 of title 5, United States Code, do not apply to hearings held under this part. Unless otherwise specified, hearings held under this part are informal, fact-finding proceedings, at which there are no formal pleadings or adverse parties. Any rule issued in a case in which an informal hearing is held is not necessarily based exclusively on the record of the hearing.

(b) The NTSB designates a representative to conduct any hearing held under this part. The General Counsel or a designated member of his or her staff may serve as legal officer at the hearing.

§ 800.41 Adoption of final rules.

Final rules are prepared by representatives of the office concerned and the Office of the General Counsel. The rule is then submitted to the Board for its consideration. If the Board adopts the rule, it is published in the **Federal Register**, unless all persons subject to it are named and are personally served with a copy of it.

§ 800.42 Petitions for rulemaking.

(a) Any interested person may petition the Chairman to establish, amend, or repeal a rule.

(b) Each petition filed under this section must:

(1) Be submitted in duplicate to the Chairman, National Transportation Safety Board, 490 L'Enfant Plaza SW., Washington, DC 20594–0003;

(2) Set forth the text or substance of the rule or amendment proposed, or specify the rule the petitioner seeks to have repealed, as the case may be;

(3) Explain the interest of the petitioner in the action requested; and

(4) Contain any information and arguments available to the petitioner to support the action sought.

§ 800.43 Processing of petition.

(a) Unless the NTSB otherwise specifies, no public hearing, argument, or other proceeding is held directly on a petition before its disposition under this section.

(b) *Grants.* If the agency determines the petition contains adequate justification, it initiates rule making action this Subpart C.

(c) *Denials.* If the agency determines the petition does not justify rulemaking, it denies the petition.

(d) *Notification.* Whenever the agency determines a petition should be granted or denied, the Office of the General Counsel prepares a notice of the grant or denial for issuance to the petitioner, and the agency issues it to the petitioner.

§ 800.44 Direct final rulemaking procedures.

A direct final rule makes regulatory changes and states those changes will take effect on a specified date unless the NTSB receives an adverse comment or notice of intent to file an adverse comment by the date specified in the direct final rule published in the **Federal Register**.

(a) *Types of actions appropriate for direct final rulemaking.* Rules the Board determines to be non-controversial and unlikely to result in adverse public comments may be published in the final rule section of the **Federal Register** as direct final rules. These include non-controversial rules that:

(1) Make non-substantive clarifications or corrections to existing rules;

(2) Incorporate by reference the latest or otherwise updated versions of technical or industry standards;

(3) Affect internal NTSB procedures;

(4) Update existing forms; and

(5) Make minor changes to rules regarding statistics and reporting requirements, such as a change in reporting period (for example, from quarterly to annually) or eliminating a type of data collection no longer necessary.

(b) *Adverse comment.* An adverse comment is a comment the NTSB judges to be critical of the rule, to suggest the rule should not be adopted, or to suggest a change should be made to the rule. Under the direct final rule process, the NTSB does not consider the following types of comments to be adverse:

(1) Comments recommending another rule change, unless the commenter states the direct final rule will be ineffective without the change;

(2) Comments outside the scope of the rule and comments suggesting the rule's policy or requirements should or should not be extended to other topics outside the scope of the rule;

(3) Comments in support of the rule; or

(4) Comments requesting clarification.

(c) *Confirmation of effective date.* The NTSB will publish a confirmation rule document in the **Federal Register**, if it has not received an adverse comment or notice of intent to file an adverse comment by the date specified in the direct final rule. The confirmation rule document informs the public of the effective date of the rule.

(d) *Withdrawal of a direct final rule.* (1) If the NTSB receives an adverse comment or a notice of intent to file an adverse comment within the comment period, it will publish a rule document in the **Federal Register**, before the effective date of the direct final rule, advising the public and withdrawing the direct final rule.

(2) If the NTSB withdraws a direct final rule because of an adverse comment, the NTSB may issue a notice of proposed rulemaking if it decides to pursue the rulemaking.

§ 800.45 Interim rulemaking procedures.

(a) An interim rule may be issued when it is in the public interest to promulgate an effective rule while keeping the rulemaking open for further refinement. For example, an interim rule may be issued in instances when normal procedures for notice and comment prior to issuing an effective rule are not required, minor changes to the final rule may be necessary after the interim rule has been in place for some time, or the interim rule only implements portions of a proposed rule, while other portions of the proposed rule are still under development.

(b) An interim rule will be published in the **Federal Register** with an effective date on or after the date of publication. After the effective date, an interim rule is enforceable and is codified in the next annual revision of the Code of Federal Regulations.

Christopher A. Hart,

Chairman.

[FR Doc. 2015–14517 Filed 6–17–15; 8:45 am]

BILLING CODE 7533–01–P

Notices

Federal Register
Vol. 80, No. 117
Thursday, June 18, 2015

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

Office of Advocacy and Outreach

Advisory Committee on Beginning Farmers and Ranchers; Request for Nominations

AGENCY: Office of Advocacy and Outreach, USDA.

ACTION: Notice of Request for Nominations.

SUMMARY: Pursuant to the Federal Advisory Committee Act (FACA, 5 U.S.C. App.), notice is hereby given that the Secretary of Agriculture is soliciting nominations for membership for the Advisory Committee on Beginning Farmers and Ranchers (the ''Committee'').

DATES: Consideration will be given to nominations received on or before July 17, 2015.

FOR FURTHER INFORMATION CONTACT: Mrs. Kenya Nicholas, Designated Federal Official, USDA Office of Advocacy and Outreach, 1400 Independence Avenue SW., Washington, DC 20250–0170; (202) 720–6350; email: *acbfr@osec.usda.gov.*

ADDRESSES: Nomination packages may be sent by postal mail or commercial delivery to: The Honorable Thomas Vilsack, Secretary, U.S. Department of Agriculture, 1400 Independence Avenue SW., Mail Stop 0601, Washington, DC 20250, Attn: Advisory Committee on Beginning Farmers and Ranchers. Nomination packages may also be faxed to (202) 720–7704.

SUPPLEMENTARY INFORMATION: The Committee advises the Secretary of Agriculture on matters broadly affecting new farmers and ranchers including strategies, policies, and programs that will enhance opportunities and create new farming and ranching operations. The Committee will consider Department goals and objectives necessary to implement prior recommendations. The Committee will develop and recommend an overall framework and strategies to encompass principles that leverage and maximize existing programs, and create and test new program opportunities.

In this notice, we are soliciting nominations from interested organizations and individuals from among ranching and farming producers (industry), related government, State, and Tribal agricultural agencies, academic institutions, commercial banking entities, trade associations, and related nonprofit enterprises. An organization may nominate individuals from within or outside its membership; alternatively, an individual may nominate herself or himself. Nomination packages should include a nomination form along with a cover letter or resume that documents the nominee's background and experience. Nomination forms are available on the Internet at *http://www.ocio.usda.gov/forms/doc/AD-755.pdf* or may be obtained from the person listed under **FOR FURTHER INFORMATION CONTACT**.

The Secretary will select up to 20 members from among those organizations and individuals solicited, in order to obtain the broadest possible representation on the Committee, pursuant to Section 5 of the Agricultural Credit Improvement Act of 1992 (Pub.L.No. 102–554), in accordance with the FACA and U.S. Department of Agriculture (USDA) Regulation 1041–1. Equal opportunity practices, in line with the USDA policies, will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by the Department, membership should include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

Done in Washington, DC, this 11th day of June 2015.

Christian Obineme,

Associate Director, Office of Advocacy and Outreach.

[FR Doc. 2015–15064 Filed 6–17–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF AGRICULTURE

Office of Advocacy and Outreach

Beginning Farmers and Ranchers Advisory Committee—Subcommittee on Land Tenure

AGENCY: Office of Advocacy and Outreach, USDA.

ACTION: Notice of public meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act (FACA), the Office of Advocacy and Outreach (OAO) is announcing a meeting of the Beginning Farmers and Ranchers Advisory Committee's (BFRAC) Subcommittee on Land Tenure (Subcommittee). The Subcommittee is being convened to consider issues involving access to land, farm business transition and land tenure. The members will perform preliminary work on recommendations that will be submitted to the parent committee. The BFRAC will prepare recommendations for USDA Secretary Vilsack's consideration in making policy decisions affecting land tenure during its next public meeting.

DATES: The subcommittee meeting is scheduled for Monday through Wednesday, June 22–24, 2015, from 8:00 a.m.–4:30 p.m. CST. Tuesday, June 23, from 10:30–3:30 p.m. CST has been set aside for public comments. All persons wishing to make comments during this meeting must check in between 10:00 a.m. and 10:30 a.m. CST on June 23, at the registration table. All public commenters will be allowed a maximum of three minutes. If the number of registrants requesting to speak is greater than what can be reasonably accommodated during the scheduled open public meeting timeframe, speakers will be scheduled on a first-come basis.

Public written comments for the Subcommittee's consideration may be submitted by close of business on June 19, 2015, to Mrs. Kenya Nicholas, Designated Federal Official, USDA OAO, 1400 Independence Avenue SW., Room 520–A, Washington, DC 20250–0170, Phone (202) 720–6350, Fax (202) 720–7704, Email: *acbfr@osec.usda.gov.* A conference call line will be available and open for public comments on June from 10:30 a.m. through 3:30 p.m. CST on Tuesday, June 23, for all who wish to listen in on the proceeding through

the following telephone number: (888) 566–6179 and enter passcode 3184649.

Members of the public may submit written statements to the Land Tenure Subcommittee at any time. Written submissions are encouraged to either be less than one page in length, or be accompanied by an executive summary and a summary of policy initiatives to include, but not limited to, the following topics:

1. How are farmers currently making farm business transitions and land or asset transfers between generations and non-family owners?

2. How do changes in agricultural land tenure, such as increased reliance on leasing, impact the ability of USDA to serve the needs of America's farm families?

3. How do changes in land tenure affect the access and availability of farmland for new and beginning farmers?

4. How do we help farms plan for transitions in advance and best support those who inherit farmland?

ADDRESSES: This public advisory committee meeting will be held at Drake University, Old Main, Levitt Hall, 25th and University Ave., Des Moines, Iowa 50311. On-street parking and on-site parking is available. There is also a drop-off area directly in front of the entrance to the property. There will be signs directing attendees to the meeting room.

FOR FURTHER INFORMATION CONTACT: Questions should be directed to Phyllis Morgan, Executive Assistant, OAO, 1400 Independence Ave. SW., Whitten Bldg., 520–A, Washington, DC 20250, Phone: (202) 720–6350, Fax: (202) 720–7136, email: *Phyllis.Morgan@osec.usda.gov.*

SUPPLEMENTARY INFORMATION: The BFRAC members met in Austin, Texas, on September 23–24, 2014, to deliberate upon the final set of recommendations for the Secretary on issues involving communications, service, and advocacy in identifying barriers for beginning farmers and ranchers. They also considered issues around lending and credit in parsing statistics generated by USDA. Since that meeting, the Secretary tasked the BFRAC with providing recommendations on access to land, farm business transition, and land tenure. Please visit our Web site at: *http://www.outreach.usda.gov/smallbeginning/index.htm* for additional information on the BFRAC.

The public is asked to pre-register for the meeting by June 19, 2015. You may pre-register for the public meeting by submitting an email to *acbfr@osec.usda.gov* with your name, organization or affiliation, comments, or any questions for the subcommittee's consideration. You may also fax this information to (202) 720–7704. Members of the public who wish to make comments during the subcommittee meeting must arrive between 9:30 a.m. and 10:00 a.m. on Tuesday, June 23, and register (confirm) at the check-in table.

The agenda is as follows: Day 1: Closed Session. Day 2: Subcommittee discussions, public comments, and subcommittee deliberations. Day 3: Closed Session. Please visit the Beginning Farmers and Ranchers Web site for the full agenda. All agenda topics and documents will be made available to the public at: *http://www.outreach.usda.gov/smallbeginning/index.htm.* Copies of the agenda will also be distributed at the meeting.

Meeting Accommodations: USDA is committed to ensuring that everyone is accommodated in our work environment, programs, and events. If you are a person with a disability and request reasonable accommodations to participate in this meeting, please note the request in your registration and you may contact Mrs. Kenya Nicholas in advance of the meeting by or before close of business on June 19, 2015, by phone at (202) 720–6350, fax (202) 720–7704, or email: *kenya.nicholas@osec.usda.gov.*

Issued in Washington, DC, this 15th day of June 2015.

Christian Obineme,

Associate Director, Office of Advocacy and Outreach.

[FR Doc. 2015–15070 Filed 6–17–15; 8:45 am]

BILLING CODE 3412–89–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

June 15, 2015.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden 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 the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques and other forms of information technology.

Comments regarding this information collection received by July 20, 2015 will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725 17th Street NW., Washington, DC 20503. Commentors 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. 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.

Forest Service

Title: Pesticide-Use Proposal (PUP) Form.

OMB Control Number: 0596–NEW.

Summary of Collection: The Forest Service (FS) is authorized under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136, and 40 CFR part 171; the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101) as amended by the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1421), and 36 CFR part 219; and the National Environmental Policy Act 42 CFR part 4321), and 36 CFR part 220 to collect information on proposed use of pesticides on lands administered by FS to safe guard natural resources and human health.

Need and Use of the Information: FS will use form FS–2100–2 to collect pesticide project information from entities for application of pesticides upon FS administered lands within rights-of-way easements, permitted lands, and under similar circumstances. Categories of information requested are descriptive of type, amount, and location of applications, as well as identification of qualifying credentials of those performing the work. Proposals will be evaluated by FS pesticide use

coordinators and other administrative personnel to safeguard human health and ecological protection consistent with FS land use management programs. Without the ability to collect the details of proposed projects from outside parties, the FS would not be able to make appropriately informed decisions concerning land stewardship and necessary ecological and human health safeguards.

Description of Respondents: Individuals and households, Businesses and Organizations, and State, Local and Tribal Governments.

Number of Respondents: 36.

Frequency of Responses: Reporting: One time.

Total Burden Hours: 600.

Charlene Parker,

Departmental Information Collection Clearance Officer.

[FR Doc. 2015–15040 Filed 6–17–15; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

June 15, 2015.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden 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 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), *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 they are received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720–8958.

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

Food and Nutrition Service

Title: National Universal Product Code (NUPC) Database.

OMB Control Number: 0584–0552.

Summary of Collection: The Healthy, Hunger-Free Kids Act of 2010 directed the Secretary of Agriculture to establish a National Universal Product Code (NUPC) database to be used by all Women, Infants, and Children (WIC) State agencies as they implement Electronic Benefit Transfer (EBT) statewide, which is a requirement of the law. The NUPC database, which serves as an electronic repository of information about foods eligible under the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

Need and Use of the Information: The NUPC database will provide all State agencies with access to a central repository containing product information about authorized WIC foods which is necessary to support State agency EBT for the WIC Program. State agencies are expected to use the NUPC database to create an initial list of authorized foods eligible for redemption by WIC Program participants. State agencies may use the NUPC database to maintain their list of authorized foods and to create an Authorized Product List for distribution to Authorized Vendors operating in the EBT environment.

Description of Respondents: State, Local, or Tribal Government; Business or other for-profit.

Number of Respondents: 360.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 10,320.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2015–15041 Filed 6–17–15; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2015–0020]

Notice of Request for Revision to and Extension of Approval of an Information Collection; Importation of Hass Avocados From Peru

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Revision to and extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request a revision to and extension of approval of an information collection associated with the regulations for the importation of Hass avocados from Peru into the continental United States.

DATES: We will consider all comments that we receive on or before August 17, 2015.

ADDRESSES: You may submit comments by either of the following methods:

- Federal eRulemaking Portal: Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2015-0020.*
- Postal Mail/Commercial Delivery: Send your comment to Docket No. APHIS–2015–0020, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2015-0020* or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on the regulations for the importation of Hass avocados from Peru, contact Mr. Juan (Tony) Román, Senior Regulatory Policy Specialist, RCC, RPM, PHP, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737; (301) 851–2242. For copies of more detailed information on the information collection, contact Ms. Kimberly Hardy, APHIS' Information Collection Coordinator, at (301) 851–2727.

SUPPLEMENTARY INFORMATION:

Title: Importation of Hass Avocados From Peru.

OMB Control Number: 0579–0355.

Type of Request: Revision to and extension of approval of an information collection.

Abstract: The Plant Protection Act (PPA, 7 U.S.C. 7701 *et seq.*) authorizes the Secretary of Agriculture to restrict the importation, entry, or interstate movement of plants, plant products, and other articles to prevent the introduction of plant pests into the United States or their dissemination within the United States. Regulations authorized by the PPA concerning the importation of fruits and vegetables into the United States from certain parts of the world are contained in ''Subpart—Fruits and Vegetables'' (7 CFR 319.56–1 through 319.56–72).

Section 319.56–50 of the regulations provides the requirements for the importation of Hass avocados from Peru into the continental United States. The regulations require the use of information collection activities, including phytosanitary certificates, trust funds, workplans, recordkeeping, production site registration, monitoring and oversight of registered production sites, packinghouse registration, survey protocols, box markings, and shipping documents with the official registration number of the place of production and identification of packing shed.

When comparing the regulations to the information collection activities that were previously approved, we found that production site and packinghouse registration, box markings, and the time it takes for businesses to escort inspectors for the required monitoring were omitted from the previous collection. We also adjusted the burden hours for the trust fund and workplan activities to more accurately capture the time needed for these activities. Lastly, we increased the estimated annual number of respondents from two to eight to reflect an increase in trade and additional companies participating in the export of Hass avocados from Peru into the continental United States.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities, as described, for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate 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) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.,* permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of information is estimated to average 0.0026 hours per response.

Respondents: National plant protection organization officials of Peru and growers, shippers, and importers of Hass avocados from Peru.

Estimated annual number of respondents: 8.

Estimated annual number of responses per respondent: 50,127.

Estimated annual number of responses: 401,019.

Estimated total annual burden on respondents: 1,048 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 12th day of June 2015.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2015–15008 Filed 6–17–15; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2015–0043]

Notice of Request for Extension of Approval of an Information Collection; Citrus Greening and Asian Citrus Psyllid; Quarantine and Interstate Movement Regulations

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request an extension of approval of an information collection associated with the regulations to prevent the spread of citrus greening and its vector, Asian citrus psyllid, to noninfested areas of United States.

DATES: We will consider all comments that we receive on or before August 17, 2015.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2015-0043.*
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2015–0043, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2015-0043* or in our reading room, which is located in Room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on the regulations for the interstate movement of regulated articles to prevent the spread of citrus greening and its vector, Asian citrus psyllid, contact Dr. Mary Palm, National Coordinator for Citrus Pest Programs, PHP, PPQ, APHIS, 4700 River Road Unit 52, Riverdale, MD 20737; (301) 851–2069. For copies of more detailed information on the information collection, contact Ms. Kimberly Hardy, APHIS' Information Collection Coordinator, at (301) 851–2727.

SUPPLEMENTARY INFORMATION:

Title: Citrus Greening and Asian Citrus Psyllid; Quarantine and Interstate Movement Regulations.

OMB Control Number: 0579–0363.

Type of Request: Extension of approval of an information collection.

Abstract: The Plant Protection Act (PPA, 7 U.S.C. 7701 *et seq.*) authorizes the Secretary of the U.S. Department of Agriculture (USDA), either independently or in cooperation with States, to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests and diseases that are new to or not widely distributed within the United States. Under the Act, the Secretary may also issue regulations requiring plants and plant products moved in interstate commerce to be subject to remedial measures

determined necessary to prevent the spread of the pest or disease, or requiring the objects to be accompanied by a permit issued by the Secretary prior to movement. The USDA's Animal and Plant Health Inspection Service (APHIS) administers the regulations to implement the PPA.

Citrus greening, also known as Huanglongbing disease of citrus, is considered to be one of the most serious citrus diseases in the world. Citrus greening is a bacterial disease that attacks the vascular system of host plants. This bacterial pathogen can be transmitted by grafting and, under laboratory conditions, by parasitic plants. The pathogen can also be transmitted by two insect vectors in the family Psyllidae, one of which is *Diaphorina citri* Kuwayama, the Asian citrus psyllid (ACP). ACP can also cause economic damage to citrus in groves and nurseries by direct feeding. Both adults and nymphs feed on young foliage, depleting the sap and causing galling or curling of leaves. High populations feeding on a citrus shoot can kill the growing tip.

Under the regulations in ''Subpart—Citrus Greening and Asian Citrus Psyllid'' (7 CFR 301.76 through 301.76–11), APHIS restricts the interstate movement of regulated articles from quarantined areas to control the artificial spread of citrus greening and ACP to noninfested areas of the United States. The regulations contain requirements that involve information collection activities, including a compliance agreement, limited permit, Federal certificate, recordkeeping, labeling statement, the application of a tag to the consignee's waybill, 72-hour inspection notification, and cancellation of certificates, permits, and compliance agreements.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate 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) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.,* permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of information is estimated to average 0.12 hours per response.

Respondents: Commercial nurseries/operations in U.S. States or U.S. Territories quarantined for citrus greening or ACP.

Estimated annual number of respondents: 621.

Estimated annual number of responses per respondent: 23.

Estimated annual number of responses: 13,882.

Estimated total annual burden on respondents: 1,785 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 12th day of June 2015.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2015–15005 Filed 6–17–15; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

Farm Service Agency

Conservation Reserve Program

AGENCY: Commodity Credit Corporation, Farm Service Agency, USDA.

ACTION: Record of decision.

SUMMARY: This notice presents a summary of the Record of Decision (ROD) regarding the alternative selected for implementation from the Supplemental Programmatic Environmental Impact Statement (SPEIS) for the Conservation Reserve Program (CRP). CRP is a voluntary program that supports the implementation of long-term conservation measures designed to improve the quality of ground and surface waters, control soil erosion, and enhance wildlife habitat on environmentally sensitive agricultural land. The Farm Service Agency (FSA) administers CRP on behalf of the Commodity Credit Corporation (CCC). The ROD was signed on April 17, 2015, but will not be implemented for at least 30 days following publication of this notice.

DATES: *Effective Date:* July 20, 2015.

ADDRESSES: The CRP SPEIS, including appendices and this ROD, are available on the FSA Environmental Compliance Web site at: *http://www.fsa.usda.gov/FSA/webapp?area=home&subject=ecrc&topic=ep-cd*. More detailed information on CRP is available from FSA's Web site at: *http://www.fsa.usda.gov/FSA/webapp?area=home&subject=copr&topic=crp*.

Requests for copies of the Final SPEIS and this ROD may be obtained from Nell Fuller at *Nell.Fuller@wdc.usda.gov,* or mail, Nell Fuller, USDA FSA, Mail Stop 0501, 1400 Independence Ave. SW., Washington, DC 20250–0501.

FOR FURTHER INFORMATION CONTACT: Nell Fuller, National Environmental Compliance Manager; phone: (202) 720–6853.

SUPPLEMENTARY INFORMATION:

Background

FSA prepared a Final SPEIS for CRP and a Notice of Availability was published in the **Federal Register** on December 23, 2014. On behalf of the CCC, FSA provides CRP participants with rental payments and cost-share assistance under contracts that extend from 10 to 15 years. CCC funding for CRP is governed by acreage caps set by the Agricultural Act of 2014, Public Law 113–79 (2014 Farm Bill). Technical support is provided by:

- USDA Natural Resources Conservation Service;
- USDA National Institute for Food and Agriculture;
- U.S. Forest Service;
- State forestry agencies;
- Local soil and water conservation districts; and
- Other non-federal providers of technical assistance.

Producers can enroll in CRP using one of two procedures:

(1) Offer lands for General Sign-up enrollment during specific sign-up periods and compete with other offers nationally, based upon the Environmental Benefits Index; or

(2) Enroll environmentally desirable land to be devoted to certain conservation practices (CPs) under CRP Continuous Sign-up provisions, if certain eligibility requirements are met, or by enrolling eligible land under the Conservation Reserve Enhancement Program (CREP), a federal-state partnership under CRP.

As of September 2014, there were nearly 25.5 million acres enrolled in the

CRP: 19.7 million acres under General Sign-up and 5.7 million acres under Continuous Sign-up, including 1.3 million acres in CREP and 0.3 million acres in the Farmable Wetlands Program, a program under CRP.

Under the Proposed Action, as defined in the SPEIS, FSA would implement changes to the CRP resulting from the 2014 Farm Bill, which extends the enrollment authority for the CRP to 2018, as well as other discretionary measures designed to improve the functionality and conservation benefits of CRP. The CRP SPEIS tiers from the CRP Supplemental Environmental Impact Statement and associated ROD completed in 2010. The SPEIS analyzed the impacts associated with implementing the changes to CRP and in developing new regulations. The No Action Alternative (continuation of current CRP to include those non-discretionary changes required by the 2014 Farm Bill) was also analyzed, and provides a management and environmental baseline.

The Decision

After reviewing comments from interested individuals and other State and Federal agencies, FSA decided to implement changes to CRP resulting from the 2014 Farm Bill, which extends the enrollment authority for CRP to 2018, and discretionary measures designed to improve the functionality and conservation benefits of CRP, as well as other changes described in the Proposed Action, with one exception and one clarification. The exception is that authorizing emergency haying or grazing on CP 25, ''Rare and Declining Habitat,'' during severe drought conditions will not be implemented. This decision was made after comparing the overall environmental impacts and other relevant information, including feedback received, with regard to the reasonable alternatives considered in the CRP SPEIS. The clarification was that FSA intends to use Primary Nesting Season (PNS) provisions that are currently in place to clarify the language provided in the 2014 Farm Bill for birds that are economically significant, in significant decline, or conserved in accordance with Federal or State law (see 16 U.S.C. 3833(b)(5)(B)). FSA will continue to work with the U.S. Fish and Wildlife Service to address any need to amend PNS dates. The following briefly describes the purpose and need for the proposed programmatic changes and the alternatives considered.

Purpose and Need for the Proposed Action

The purpose of the Proposed Action is to implement programmatic changes to the CRP resulting from the 2014 Farm Bill and other discretionary program provisions. The need for the Proposed Action is to fulfill the FSA's responsibility to administer CRP while improving CRP's functionality and maintaining its conservation benefits.

Alternatives Considered

Some elements of the 2014 Farm Bill are non-discretionary, meaning implementation is mandatory and specifically required by the 2014 Farm Bill. As FSA has no decision-making authority over these non-discretionary aspects of the 2014 Farm Bill, they are assessed in the SPEIS as part of the No Action Alternative. Other elements of the 2014 Farm Bill provide overall guidance, but details of implementation are left to FSA's discretion. These discretionary aspects of the 2014 Farm Bill form the Proposed Action Alternative. In addition, as described in the Proposed Action Alternative, FSA proposes to implement additional discretionary measures for targeting enrollment and to expand the flexibility of emergency haying and grazing.

Overview of Changes to CRP From the 2014 Farm Bill

The changes in the 2014 Farm Bill that are administrative in nature, would not result in major changes to the administration of CRP, or have been addressed in other environmental assessments and eliminated from detailed analysis, are described in the first table. A summary of the proposed changes to CRP and how the changes are addressed in the SPEIS as part of the No Action Alternative or Proposed Action Alternative are described in the second table.

LIST FROM DETAILED ANALYSIS

Provision	Description
Maximum Enrollment	Reduces maximum enrollment gradually from 32 to 24 million acres by fiscal year 2017.
Farmable Wetlands Program	Creates a permanent program from the pilot program established by 2008 Farm Bill and sets enrollment cap at 750,000 acres.
Tree Thinning	Reduces payment authority to $10 million, allows for incentive payments.
Early Termination of Contracts	Provides contract termination opportunity in 2015 for contracts that have been in place for at least 5 years, with exceptions.
Managed Harvesting, Prescribed and Routine Grazing Payment Reduction.	Requires rental payment reduction of at least 25 percent. No payment reduction for beginning farmers or ranchers for grazing.
Transition Option	Provides authority for $33 million to facilitate transfer of land from retiring or retired owners to beginning or socially disadvantaged farmers or ranchers, or military veteran farmers or ranchers.
Prescribed Grazing Frequency	Allows annual grazing for control of invasive plants.
Intermittent and Seasonal Use	Allows for intermittent and seasonal use of vegetative buffer practices incidental to agricultural production on adjacent lands.

PROPOSED CHANGES TO CRP

Provision	Description
No Action Alternative	
Grasslands Eligibility and Authorized Activities	Allows up to 2 million acres of certain grasslands to be eligible for CRP under Continuous Sign-up. Authorized activities differ from other CRP contracts.
Final Year Contract	Allows enrollment in Conservation Stewardship Program and the Agricultural Conservation Easement Program during final year of the CRP contract.

PROPOSED CHANGES TO CRP—Continued

Provision	Description
Emergency Haying and Grazing Payment Reduction.	Removes the requirement to reduce CRP rental payments.
Proposed Action	
Targeted Enrollment	Proposes the targeted enrollment of environmentally sensitive lands through reverse auctions or competitive bidding to meet reduced enrollment caps.
Managed harvesting Frequency	Sets minimum frequency of once in 5 years, and maximum frequency of once in 3 years.
Routine Grazing Frequency	Sets maximum frequency to no more than once every 2 years.
Emergency Haying and Grazing on Additional Conservation Practices.	Allows emergency haying and grazing on additional CPs during severe drought conditions to include CP8 (grass waterways), CP21 (filter strips), CP22 (riparian buffers), CP23 (wetland restoration), CP23A (wetland restoration, non-floodplain), CP27 (farmable wetlands), CP28 (farmable wetland buffers), CP37 (duck nesting habitat), CP39 (constructed wetland), and CP41 (Flooded prairie farmable wetlands).

Public Involvement

Public involvement began with the notice announcing a ''Notice of Intent to Prepare a Programmatic Supplemental Environmental Impact Statement for the Conservation Reserve Program: Request for Comments'' published in the **Federal Register** on November 29, 2013 (78 FR 71561–71562). A Web site developed to compile comments for the project was activated on the day the Notice of Intent was released and the official scoping comment period began. Comments were received through the project Web site, email system, mail, fax, and at *www.regulations.gov.* The scoping period ended January 13, 2014. Eight comment letters were received during the scoping period from Federal, state, and local government agencies, as well as from private organizations and members of the concerned public. The comments could be broken into 55 individual issues covering a range of topics including proposed 2008 Farm Bill changes, CRP maximum enrollment and acreages, regional differences in haying and grazing impacts, lack of thorough environmental and socioeconomic impact analysis in previous environmental analysis documentation related to the Farm Bill, and CRP funding policy. The comments provided during the scoping period were considered in defining the alternatives and the environmental consequences to ensure feedback was adequately addressed.

A notice announcing the availability of the Draft SPEIS was published in the **Federal Register** on July 15, 2014 (79 FR 41247–41249). This notice of availability (NOA) provided a summary of the changes to CRP, the No Action Alternative, and the Proposed Action Alternative. Also included in the NOA was a description of how to provide comments, as well as a list of the dates, times, and locations of the five public meetings that were held as a part of the public involvement process. Locations for holding public meetings were chosen based upon FSA density analyses of participation in CRP or those participants potentially impacted by the proposed changes to CRP. The meeting locations, dates, and times are shown in the table below.

Date	Time	Location information
July 21, 2014	6:00 p.m.–8:00 p.m	Hilton Garden Inn, Spokane Airport, 9015 West SR Highway 2, Spokane, Washington 99224.
July 22, 2014	6:00 p.m.–8:00 p.m	Holiday Inn, Great Falls, 1100 5th Street, South Falls, Montana 59405.
August 4, 2014	6:00 p.m.–8:00 p.m	Plains Cotton Cooperative Association, 3301 East 50th Street, Lubbock, Texas 79404.
August 5, 2014	6:00 p.m.–8:00 p.m	Stillwater Library, 1107 S. Duck Street, Stillwater, Oklahoma 74074.
August 6, 2014	6:00 p.m.–8:00 p.m	Courtyard by Marriott and Moorhead Area Conference Center, 1080 28th Avenue, South, Moorhead, Minnesota 56560.

Eighteen comments were received during the Draft SPEIS comment period. Those 18 comments included 75 issues to be considered in the Final SPEIS. A Comment Summary Report was prepared and is included as an appendix in the CRP SPEIS. The report provides additional detail on the Draft SPEIS comment process, a copy of the NOA, copies of all public meeting materials, and responses to all 75 substantive issues and how they were addressed in the Final SPEIS.

The NOA of the Final SPEIS was published in the **Federal Register** on December 23, 2014 (79 FR 76952). A total of six comment letters or emails were received during the 30 day comment period. The comments could be broken down to 12 individual comments. The comments were primarily repetitive of concerns addressed during the Draft SPEIS and included grassland eligibility requirements, targeted enrollment, and emergency haying and grazing of additional CPs. Those comments were considered in the decision-making process.

Impacts Summary

The Final SPEIS evaluates the potential impacts of the Proposed Action. Based upon the analyses and conclusions presented in the Draft and Final SPEISs, FSA has determined that the Proposed Action is environmentally responsible and reasonable to implement, and no significant negative impacts would occur. Anticipated beneficial and adverse impacts are discussed below for each of the elements of the Proposed Action.

Targeted Enrollment

CRP establishes or restores vegetation to meet the CRP goals of improving surface water and groundwater quality, controlling soil erosion, and enhancing wildlife habitat. Enrolling land in CRP would be expected to benefit vegetation,

wildlife, and protected species as sensitive lands or those with higher environmental benefits could be targeted. Soils, surface and groundwater, wetlands, and floodplains would benefit similarly and would also be positively impacted by reduced fertilizer and pesticide usage and lower demands on groundwater for irrigation. Recreation related to wildlife would be expected to benefit from targeting environmentally sensitive areas that benefit wildlife and habitats and surface water quality on and adjacent to CRP lands. Air quality would benefit from enrollment in CRP through reduced emissions from equipment, greater soil stability, and increased potential for long-term carbon sequestration as compared to typical agricultural production. No effect to socioeconomic conditions is anticipated to result from use of targeted enrollment; however, general social benefits from conservation would be realized. Overall, it is expected that using targeted enrollment could increase the quality of lands enrolled in CRP, resulting in greater environmental benefits. Targeted enrollment could provide long-term benefits to areas of sensitive vegetative communities, wildlife habitat, or water quality. Such benefits could occur throughout the U.S. in any ecoregion where targeting occurred.

Installation and maintenance of CPs could create temporary, short-term negative impacts while the work was ongoing to resources, including vegetation, wildlife, protected species, soils, surface and groundwater, floodplains, wetlands, and air quality. However, all activities would be specified in Conservation Plans, designed by NRCS, which reflect local conditions and needs for each tract of land enrolled. Once CPs are established, long-term beneficial impacts to resources would be realized.

Managed Harvesting and Routine Grazing Frequencies

Managed harvesting would be allowed to occur no more frequently than once every 3 years, but not less frequently than once in 5 years. This would require four states (California, Colorado, Arizona, and Nevada) that currently allow managed harvesting once every 10 years to have more frequent managed harvesting on new contracts where managed harvesting would be used to maintain CRP. The 2014 Farm Bill allows for the State Technical Committees (STCs) to establish routine grazing frequencies of not more than once every 2 years. More frequent harvesting and grazing could reduce the growing period between harvests, which may cause short-term negative impacts to some types of vegetation, potentially affecting wildlife habitat, soil stability, and any adjacent wetlands, floodplains, or surface waters. Activities with direct impacts would vary by ecoregion and species composition. Long-term benefits of harvesting and grazing include maintaining early succession stages, and improving species diversity, composition, and function. Wildlife adapted to early successional habitats could benefit from more frequent harvesting and grazing. Grazing could negatively affect wildlife through displacement or competition for food resources. Both grazing and haying could result in direct mortality to some wildlife species. Protected species are not expected to be affected as site specific Environmental Evaluations on Conservation Plans would determine the presence of protected species and ensure no impacts occur. No effects to groundwater, air quality, recreation, or socioeconomic resources are anticipated. When performed in accordance with established guidelines, managed harvesting can be an effective tool for maintaining early successional stages of vegetative communities.

Emergency Haying and Grazing on Additional CP

Consecutive years of emergency haying or grazing on the same acreage would reduce the growth period and could result in long-term negative impacts to some types of vegetation, in turn affecting wildlife. Impacts to wildlife could also include direct mortality and competition for food resources. No impacts to protected species are expected due to use of site-specific Environmental Evaluations. As with managed harvesting and routine grazing, short-term impacts to soils could occur from reduced vegetation growth affecting the stability of soils. Short-term impacts to surface waters, floodplains, and wetlands could occur from increased runoff, however, adherence to site-specific NRCS Conservation Plans and oversight by STC would reduce the potential for long-term impacts to these resources. No impacts to groundwater are anticipated. In the short-term, consecutive years of emergency haying and grazing could reduce the carbon sequestration potential of CRP vegetation. Socioeconomic benefits would result from enabling producers to maintain herds during severe droughts.

Rationale for Decision

No significant impacts would occur from implementation of the Proposed Action and no significant adverse cumulative impacts are expected. Potential negative impacts will be minimized by employment of best management practices specified in Conservation Plans and through the use of site-specific Environmental Evaluations.

Val Dolcini,

Administrator, Farm Service Agency, and Executive Vice President, Commodity Credit Corporation.

[FR Doc. 2015–14988 Filed 6–17–15; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF AGRICULTURE

Forest Service

Land Between The Lakes Advisory Board

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Land Between The Lakes Advisory Board (Board) will meet in Golden Pond, Kentucky. The Board is authorized under Section 450 of the Land Between The Lakes Protection Act of 1998 (Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the Board is to advise the Secretary of Agriculutre on the means of promoting public participation for the land and resource management plan for the recreation area; and environmental education. Additional Board information, including the meeting agenda and the meeting summary/minutes can be found at the following Web site: *http://www.landbetweenthelakes.us/about/working-together/.*

DATES: The meeting will be held on Wednesday, July 22, 2015.

All Board meetings are subject to cancellation. For status of meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT.**

ADDRESSES: The meeting will be held at the Land Between The Lakes Administration Building, 100 Van Morgran Drive, Golden Pond, Kentucky.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION.** All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Land Between The Lakes Adminstrative Building. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Linda L. Taylor, Board Coordinator, by phone at 270–924–2002 or via email at *lltaylor@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is:

(1) Discuss Environmental Education; and

(2) Effectively communicate future land management plan activities.

The meeting is open to the public. Board discussion is limited to Forest Service staff and Board members. Written comments are invited and should be sent to Tina Tilley, Area Supervisor, Land Between The Lakes, 100 Van Morgan Drive, Golden Pond, Kentucky 42211; and must be received by July 8, 2015, in order for copies to be provided to the members for this meeting. Board members will review written comments received, and at their request, oral clarification may be requested for a future meeting.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices or other reasonable accommodation for access to the facility or proceedings by contacting the person listed in the section titled **FOR FURTHER INFORMATION CONTACT.** All reasonable accommodation requests are managed on a case by case basis.

Dated: June 11, 2015.

Tina R. Tilley,

Area Supervisor, Land Between The Lakes.

[FR Doc. 2015–14997 Filed 6–17–15; 8:45 am]

BILLING CODE 3411–15–P

COMMISSION ON CIVIL RIGHTS

Sunshine Act Meeting Notice

AGENCY: United States Commission on Civil Rights.

ACTION: Notice of Commission Business Meeting.

DATES: *Date and Time:* Monday, June 29, 2015; 10:00 a.m. EST.

ADDRESSES: *Place:* 1331 Pennsylvania Ave. NW., Suite 1150, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Lenore Ostrowsky, Acting Chief, Public Affairs Unit (202) 376–8591.

Hearing-impaired persons who will attend the briefing and require the services of a sign language interpreter should contact Pamela Dunston at (202) 376–8105 or at *signlanguage@usccr.gov* at least seven business days before the scheduled date of the meeting.

SUPPLEMENTARY INFORMATION:

Meeting Agenda

This meeting is open to the public.

I. Approval of Agenda

II. Program Planning

- Housekeeping: Read into the record—Notional votes undertaken by Commission
  - a. Vote to confirm President's nomination of USCCR Staff Director, Mauro A. Morales
  - b. Vote to extend the police briefing comment period for an additional 30 days
- Discussion and vote on updated 2015 Statutory Enforcement Report Timeline
- Discussion and vote on Commission Statement commemorating the anniversary of the ADA
- Discussion and vote on Commission Statement commemorating the anniversary of the Voting Rights Act
- Vote to approve Commission letter to EOIR re: Lack of notice to released detainees on court date therefore expediting deportations
- Discussion and vote on Commission letter to Texas Department of Health Services re: Denial of birth certificates to U.S. born children of immigrant parents
- Discussion and vote on Letter by Commission responding to Congressional request to update Native American report
- Discussion and vote on Letter by Commission responding to Congressional delegation letter re: Workplace Discrimination briefing
- Discussion and vote on Commission proclamation to remember Louis Nunez, former USCCR staff director
- Discussion on how to recommit the Commission to planning the commemoration of the 13th & 14th amendments
- Discussion and vote on Commission involvement in National Civil Rights Conference organized by EPA and USDA
- Discussion on the process by which we will proceed on FY 2016 projects.

III. Management and Operations

- Staff Director Report
- Report by SAC Chairs for Missouri and New York
- Report on status of pending reports and reports voted to be revised

IV. State Advisory Committee (SAC) Appointments

- Kentucky
- Virginia

V. Adjourn Meeting

Dated: June 16, 2015.

David Mussatt,

Chief, Regional Programs Unit.

[FR Doc. 2015–15120 Filed 6–16–15; 4:15 pm]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

[Docket No.: 150403337–5517–02]

Privacy Act New System of Records

AGENCY: Office of Inspector General (OIG), Department of Commerce (DOC).

ACTION: Notice; Commerce/Department–12, OIG Investigative Records.

SUMMARY: The Department of Commerce (Commerce) publishes this notice to announce the effective date of a Privacy Act System of Records entitled Commerce/Department–12, OIG Investigative Records.

The notice of proposed amendment to this system of records was published in the **Federal Register** on May 7, 2015.

DATES: The system of records becomes effective on June 18, 2015.

ADDRESSES: For a copy of the system of records please mail requests to the OIG Office of Counsel, Room 7896, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; by email to *OIGCounsel@oig.doc.gov;* or by facsimile to (202) 501–7335.

FOR FURTHER INFORMATION CONTACT: The OIG Office of Counsel, Room 7896, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; by email to *OIGCounsel@oig.doc.gov;* or by facsimile to (202) 501–7335.

SUPPLEMENTARY INFORMATION: On May 7, 2015, the Department of Commerce published and requested comments on a proposed Privacy Act System of Records entitled Commerce/Department–12, OIG Investigative Records (80 FR 26217). No comments were received in response to the request for comments. By this notice, the Department is adopting the proposed system as final without changes effective June 18, 2015.

Dated: June 15, 2015.

Brenda Dolan,

Freedom of Information and Privacy Act Officer, U.S. Department of Commerce.

[FR Doc. 2015–15020 Filed 6–17–15; 8:45 am]

BILLING CODE 3510–55–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–017]

Countervailing Duty Investigation of Certain Passenger Vehicle and Light Truck Tires From the People's Republic of China: Final Affirmative Determination, and Final Affirmative Critical Circumstances Determination, in Part

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (the Department) determines that countervailable subsidies are being provided to producers and exporters of certain passenger vehicle and light truck tires (passenger tires) from the People's Republic of China (the PRC) as provided in section 705 of the Tariff Act of 1930, as amended (the Act). For information on the estimated subsidy rates, *see* the ''Final Determination'' section of this notice. The period of investigation is January 1, 2013, through December 31, 2013.

DATES: Effective date June 18, 2015.

FOR FURTHER INFORMATION CONTACT: Emily Halle, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; Phone: (202) 482–0176.

SUPPLEMENTARY INFORMATION:

Background

The Department published the *Preliminary Determination* on December 1, 2014,[1] and the *Amended Preliminary Determination* on December 30, 2014.[2] A summary of the events that occurred since the Department published the *Amended Preliminary Determination,* as well as a full discussion of the issues raised by parties for this final determination, may be found in the Final Decision Memorandum.[3] The Final Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov,* and is available to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Final Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/.* The signed Final Decision Memorandum and the electronic version are identical in content.

Scope of the Investigation and Scope Comments

The products covered by this investigation are certain passenger tires from the PRC. The products covered by the investigation are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4011.10.10.10, 4011.10.10.20, 4011.10.10.30, 4011.10.10.40, 4011.10.10.50, 4011.10.10.60, 4011.10.10.70, 4011.10.50.00, 4011.20.10.05, and 4011.20.50.10. Tires meeting the scope description may also enter under the following HTSUS subheadings: 4011.99.45.10, 4011.99.45.50, 4011.99.85.10, 4011.99.85.50, 8708.70.45.45, 8708.70.45.60, 8708.70.60.30, 8708.70.60.45, and 8708.70.60.60. While HTSUS subheadings are provided for convenience and for customs purposes, the written description of the subject merchandise is dispositive.

The Department received comments regarding the scope of this investigation from numerous interested parties, which we have summarized and addressed in the accompanying Final Decision Memorandum.[4] As explained in the Final Decision Memorandum, to facilitate the scope's administrability and enforcement, we have clarified the scope language such that ''N'' speed-rated specialty trailer tires that meet certain requirements are excluded from the scope.[5] For a complete description of the scope of the investigation, *see* Appendix II to this notice.

Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation and the issues raised in the case and rebuttal briefs by parties in this investigation are discussed in the Final Decision Memorandum. A list of the issues that parties raised, and to which we responded in the Final Decision Memorandum, is attached to this notice at Appendix I.

Use of Adverse Facts Available

The Department notes that, in making these findings, we relied, in part, on facts available and, because one or more respondents did not act to the best of their ability to respond to the Department's requests for information, we applied adverse facts available.[6] For purposes of this final determination, we applied adverse facts available in several instances, including with regard to the net subsidy rate assigned to Shandong Yongsheng Rubber Group Co., Ltd. (Yongsheng). For further information, *see* the section ''Use of Facts Otherwise Available and Adverse Inferences,'' in the Final Decision Memorandum.

Changes Since the Preliminary Determination

Based on our review and analysis of the comments received from parties, and minor corrections presented at verification, we made certain changes to the respondents' subsidy rate calculations since the *Preliminary Determination* and *Amended Preliminary Determination.* For a discussion of these changes, *see* the Final Decision Memorandum and the Final Analysis Memoranda.[7]

Final Affirmative Determination of Critical Circumstances, in Part

In the *Preliminary Determination,* the Department found that critical circumstances exist with respect to imports of passenger tires from the PRC for Yongsheng and all other exporters or producers not individually examined.[8] Upon further analysis of the data and comments submitted by interested parties following the *Preliminary Determination,* we are modifying our findings for the *Final Determination.*[9] Specifically, in accordance with section 705(a)(2) of the Act, we find that critical circumstances exist with respect to imports from GITI Tire (Fujian) Co., Ltd.

---

[1] *See Countervailing Duty Investigation of Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Preliminary Affirmative Determination, Preliminary Affirmative Critical Circumstances Determination, in Part, and Alignment of Final Determination with Final Antidumping Duty Determination,* 79 FR 71093 (December 1, 2014) (*Preliminary Determination*).

[2] *See Countervailing Duty Investigation of Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Amended Affirmative Preliminary Determination,* 79 FR 78398 (December 30, 2014) (*Amended Preliminary Determination*).

[3] *See* Memorandum, ''Issues and Decision Memorandum for the Final Determination in the Countervailing Duty Investigation of Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China,'' (Final Decision Memorandum), dated concurrently with this determination and hereby adopted by this notice.

[4] *See* Final Decision Memorandum at Comments 25 and 26.

[5] *Id.*

[6] *See* sections 776(a) and (b) of the Act.

[7] *See* Final Decision Memorandum; *see also* Memoranda, ''Final Determination Analysis for GITI Tire (Fujian) Company Ltd.,'' and ''Final Determination Analysis for Cooper (Kunshan) Tire Co., Ltd.,'' (collectively, Final Analysis Memoranda), dated concurrently with this determination and hereby adopted by this notice.

[8] *See Preliminary Determination,* 79 FR at 71094.

[9] For a full description of the methodology and results of our analysis, *see* the Final Decision Memorandum.

(GITI Fujian), Yongsheng, and all other producers or exporters, but do not exist for Cooper (Kunshan) Tire Co., Ltd. (Cooper).

Final Determination

In accordance with section 705(c)(1)(B)(i) of the Act, we calculated a rate for GITI Fujian and Cooper, the only two individually investigated exporters/producers of the subject merchandise that participated in this investigation.[10] We adjusted the cash deposit rates for GITI Fujian, Yongsheng, and all other producers or exporters to reflect our finding that a program-wide change exists with regard to one subsidy program.[11] The cash deposit rates listed below reflect this adjustment.

In accordance with sections 705(c)(1)(B)(i)(I) and 705(c)(5)(A) of the Act, for companies not individually investigated, we apply an ''all others'' rate, which is normally calculated by weighting the subsidy rates of the individual companies selected as respondents with those companies' export sales of the subject merchandise to the United States. Under section 705(c)(5)(A)(i) of the Act, the all others rate should exclude zero and *de minimis* rates calculated for the exporters and producers individually investigated, and any rates determined entirely under section 776 of the Act. We therefore have excluded Yongsheng's rate from the all others rate.

Notwithstanding the language of section 705(c)(5)(A)(i) of the Act, we have not calculated the all others rate by weight-averaging the rates of GITI Fujian and Cooper because doing so risks disclosure of proprietary information. Therefore, and consistent with the Department's practice where such risk exists, for the all others rate, we calculated a weight average of GITI Fujian's and Cooper's rates using publicly ranged data.[12] Since both GITI Fujian and Cooper received countervailable export subsidies and the all others rate is an average based on the individually investigated respondents, the all others rate includes export subsidies. We determine the total estimated net countervailable subsidy rates to be:

Company	Subsidy rate (percent)	Cash deposit rate (percent)
GITI Tire (Fujian) Co., Ltd. and certain cross-owned companies	37.20	36.79
Cooper Kunshan Tire Co., Ltd and certain cross-owned companies	20.73	20.73
Shandong Yongsheng Rubber Group Co., Ltd	100.77	100.37
All Others	30.87	30.61

Continuation of Suspension of Liquidation

As a result of our *Preliminary Determination,* and pursuant to section 703(d) of the Act, we instructed U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of merchandise under consideration from the PRC that were entered or withdrawn from warehouse, for consumption, on or after September 2, 2014 (for those entities for which we found critical circumstances exist) or on or after December 1, 2014, the date of publication of the *Preliminary Determination* in the **Federal Register** (for all entities for which we did not find critical circumstances exist). In accordance with section 703(d) of the Act, we issued instructions to CBP to discontinue the suspension of liquidation for CVD purposes for subject merchandise entered, or withdrawn from warehouse, on or after March 31, 2015, but to continue the suspension of liquidation of all entries from September 2, 2014, or December 1, 2014, as the case may be, through March 30, 2015.

If the U.S. International Trade Commission (the ITC) issues a final affirmative injury determination, we will issue a CVD order and will reinstate the suspension of liquidation under section 706(a) of the Act and will require a cash deposit of estimated CVDs for such entries of subject merchandise in the amounts indicated above. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or canceled.

ITC Notification

In accordance with section 705(d) of the Act, we will notify the ITC of our determination. In addition, we are making available to the ITC all non-privileged and non-proprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

Notification Regarding Administrative Protective Orders

In the event the ITC issues a final negative injury determination, this notice will serve as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

This determination is issued and published pursuant to sections 705(d) and 777(i) of the Act.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Dated: June 11, 2015.

[10] The individually-investigated exporters/producers are (1) GITI Tire (Fujian) Co., Ltd., and its cross-owned affiliated companies GITI Tire (China) Investment Company Ltd., GITI Radial Tire (Anhui) Company Ltd., GITI Tire (Hualin) Company Ltd., GITI Steel Cord (Hubei) Company Ltd., Anhui Prime Cord Fabrics Company Ltd., GITI Tire Corporation, GITI Tire (Anhui) Company Ltd., GITI Greatwall Tire (Yinchuan) Company Ltd., GITI Steel Cord (Anhui) Company Ltd., Anhui Prime Cord Weaving Company Ltd., and Anhui Prime Cord Twisting Company Ltd.; (2) Cooper Kunshan Tire Co., Ltd., and its cross-owned affiliated company, Cooper Chengshan (Shandong) Tire Co., Ltd.; and (3) Yongsheng.

[11] *See* Final Decision Memorandum at Comment 15.

[12] *See, e.g., Countervailing Duty Investigation of Chlorinated Isocyanurates From the People's Republic of China: Preliminary Determination and Alignment of Final Determination With Final Antidumping Determination,* 79 FR 10097, 10098 (February 24, 2014), unchanged in *Countervailing Duty Investigation of Chlorinated Isocyanurates From the People's Republic of China: Final Affirmative Countervailing Duty Determination,* 79 FR 56560, 56562 (September 22, 2014); *see also* Memorandum, ''Calculation of the All Others Rate for the Final Determination,'' June 11, 2015.

Appendix I

List of Topics Discussed in the Final Decision Memorandum

I. Summary
II. Background
III. Final Determination of Critical Circumstances, in Part
IV. Scope of the Investigation
V. Application of the Countervailing Duty Law to Imports from the PRC
VI. Subsidies Valuation Information
VII. Benchmarks and Discount Rates
VIII. Use of Facts Otherwise Available and Adverse Inferences
IX. Analysis of Programs
X. Analysis of Comments
Comment 1: Whether GITI Fujian's Input Suppliers are Authorities
Comment 2: Appropriate Benchmark for Inputs at LTAR
Comment 3: Whether Benchmarks for LTAR Inputs Should Exclude International Freight or Inland Freight
Comment 4: Inputs Supplied by Other GITI Companies Should Not be Countervailed
Comment 5: Correct Electricity Rate Selections
Comment 6: Whether to Countervail Government Policy Lending Program
Comment 7: Whether the Export Buyer's Credit Program Was Used by Respondents
Comment 8: Whether to Countervail CKT's Land in the Kunshan ETDZ
Comment 9: Whether to Countervail Assets from the Chengshan Group to Cooper for LTAR
Comment 10: Whether PCT is the Successor-in-Interest to CCT
Comment 11: Adjustments to Cooper's Originally Reported Data
Comment 12: Whether the Department Should Accept the Minor Corrections Presented by GITI Fujian at Verification
Comment 13: Whether Loans to GITI Anhui Radial are Export Subsidies
Comment 14: Correct Sales Denominator for the GITI Companies
Comment 15: Cash Deposit Rate for Terminated Programs
Comment 16: Whether to Countervail the VAT Exemptions and Deductions for Central Regions Program
Comment 17: Whether to Countervail the Key Enterprise Staffing Subsidy, 2013
Comment 18: Whether to Apply AFA to Subsidies Received by Hualin Tyre
Comment 19: Whether the Department Should Attribute to GITI Fujian Subsidies Received by GITI Anhui Through 2010 and Subsidies Received by GITI Yinchuan Greatwall Through the POI
Comment 20: Subsidy Rate for GITI Anhui's Use of the Import Tariff and VAT Exemptions for Imported Equipment Programs
Comment 21: AFA Rate for Yongsheng
Comment 22: Appropriate Time Periods for Critical Circumstances Analysis
Comment 23: Whether Seasonality Exists in the Critical Circumstances Data
Comment 24: Whether Company Specific Data Should be Used in the Department's Critical Circumstances Analysis
Comment 25: Whether to Modify the Language of the Exclusion on Special Trailer (ST) Tires
Comment 26: Whether Slingshot Tires Are Included in the Scope
XI. Recommendation

Appendix II

Scope of the Investigation

The scope of this investigation is passenger vehicle and light truck tires. Passenger vehicle and light truck tires are new pneumatic tires, of rubber, with a passenger vehicle or light truck size designation. Tires covered by this investigation may be tube-type, tubeless, radial, or non-radial, and they may be intended for sale to original equipment manufacturers or the replacement market.

Subject tires have, at the time of importation, the symbol ''DOT'' on the sidewall, certifying that the tire conforms to applicable motor vehicle safety standards. Subject tires may also have the following prefixes or suffix in their tire size designation, which also appears on the sidewall of the tire:

Prefix designations:

P—Identifies a tire intended primarily for service on passenger cars.

LT—Identifies a tire intended primarily for service on light trucks.

Suffix letter designations:

LT—Identifies light truck tires for service on trucks, buses, trailers, and multipurpose passenger vehicles used in nominal highway service.

All tires with a ''P'' or ''LT'' prefix, and all tires with an ''LT'' suffix in their sidewall markings are covered by this investigation regardless of their intended use.

In addition, all tires that lack a ''P'' or ''LT'' prefix or suffix in their sidewall markings, as well as all tires that include any other prefix or suffix in their sidewall markings, are included in the scope, regardless of their intended use, as long as the tire is of a size that is among the numerical size designations listed in the passenger car section or light truck section of the *Tire and Rim Association Year Book,* as updated annually, unless the tire falls within one of the specific exclusions set out below.

Passenger vehicle and light truck tires, whether or not attached to wheels or rims, are included in the scope. However, if a subject tire is imported attached to a wheel or rim, only the tire is covered by the scope.

Specifically excluded from the scope of this investigation are the following types of tires:

(1) Racing car tires; such tires do not bear the symbol ''DOT'' on the sidewall and may be marked with ''ZR'' in size designation;

(2) new pneumatic tires, of rubber, of a size that is not listed in the passenger car section or light truck section of the *Tire and Rim Association Year Book;*

(3) pneumatic tires, of rubber, that are not new, including recycled and retreaded tires;

(4) non-pneumatic tires, such as solid rubber tires;

(5) tires designed and marketed exclusively as temporary use spare tires for passenger vehicles which, in addition, exhibit each of the following physical characteristics:

(a) The size designation and load index combination molded on the tire's sidewall are listed in Table PCT–1B (''T'' Type Spare Tires for Temporary Use on Passenger Vehicles) of the *Tire and Rim Association Year Book,*

(b) the designation ''T'' is molded into the tire's sidewall as part of the size designation, and,

(c) the tire's speed rating is molded on the sidewall, indicating the rated speed in MPH or a letter rating as listed by *Tire and Rim Association Year Book,* and the rated speed is 81 MPH or a ''M'' rating;

(6) tires designed and marketed exclusively for specialty tire (ST) use which, in addition, exhibit each of the following conditions:

(a) The size designation molded on the tire's sidewall is listed in the ST sections of the *Tire and Rim Association Year Book,*

(b) the designation ''ST'' is molded into the tire's sidewall as part of the size designation,

(c) the tire incorporates a warning, prominently molded on the sidewall, that the tire is ''For Trailer Service Only'' or ''For Trailer Use Only'',

(d) the load index molded on the tire's sidewall meets or exceeds those load indexes listed in the *Tire and Rim Association Year Book* for the relevant ST tire size, and

(e) either

(i) the tire's speed rating is molded on the sidewall, indicating the rated speed in MPH or a letter rating as listed by *Tire and Rim Association Year Book,* and the rated speed does not exceed 81 MPH or an ''M'' rating; or

(ii) the tire's speed rating molded on the sidewall is 87 MPH or an ''N'' rating, and in either case the tire's maximum pressure and maximum load limit are molded on the sidewall and either

(1) both exceed the maximum pressure and maximum load limit for any tire of the same size designation in either the passenger car or light truck section of the *Tire and Rim Association Year Book;* or

(2) if the maximum cold inflation pressure molded on the tire is less than

any cold inflation pressure listed for that size designation in either the passenger car or light truck section of the *Tire and Rim Association Year Book,* the maximum load limit molded on the tire is higher than the maximum load limit listed at that cold inflation pressure for that size designation in either the passenger car or light truck section of the *Tire and Rim Association Year Book;*

(7) tires designed and marketed exclusively for off-road use and which, in addition, exhibit each of the following physical characteristics:

(a) The size designation and load index combination molded on the tire's sidewall are listed in the off-the-road, agricultural, industrial or ATV section of the *Tire and Rim Association Year Book,*

(b) in addition to any size designation markings, the tire incorporates a warning, prominently molded on the sidewall, that the tire is ''Not For Highway Service'' or ''Not for Highway Use'',

(c) the tire's speed rating is molded on the sidewall, indicating the rated speed in MPH or a letter rating as listed by the *Tire and Rim Association Year Book,* and the rated speed does not exceed 55 MPH or a ''G'' rating, and

(d) the tire features a recognizable off-road tread design.

The products covered by the investigation are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4011.10.10.10, 4011.10.10.20, 4011.10.10.30, 4011.10.10.40, 4011.10.10.50, 4011.10.10.60, 4011.10.10.70, 4011.10.50.00, 4011.20.10.05, and 4011.20.50.10. Tires meeting the scope description may also enter under the following HTSUS subheadings: 4011.99.45.10, 4011.99.45.50, 4011.99.85.10, 4011.99.85.50, 8708.70.45.45, 8708.70.45.60, 8708.70.60.30, 8708.70.60.45, and 8708.70.60.60. While HTSUS subheadings are provided for convenience and for customs purposes, the written description of the subject merchandise is dispositive.

[FR Doc. 2015–15059 Filed 6–17–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

[Docket No.: 150421388–5516–02]

Privacy Act New System of Records

AGENCY: International Trade Administration (ITA), Department of Commerce (DOC).

ACTION: Notice; Commerce/ITA–8, Salesforce Customer Relationship Management System.

SUMMARY: The Department of Commerce (Commerce) publishes this notice to announce the effective date of a Privacy Act System of Records entitled Commerce/ITA–8, Salesforce Customer Relationship Management System.

The notice of proposed amendment to this system of records was published in the **Federal Register** on May 11, 2015.

DATES: The system of records becomes effective on June 18, 2015.

ADDRESSES: For a copy of the system of records please mail requests to Lois V. Mockabee, International Trade Administration Privacy Act Officer, Room 21023, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Lois V. Mockabee, International Trade Administration Privacy Act Officer, Room 21023, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230. Telephone: (202) 482–06111.

SUPPLEMENTARY INFORMATION: On May 11, 2015, the Department of Commerce published and requested comments on a proposed Privacy Act System of Records entitled Commerce/ITA–8, Salesforce Customer Relationship Management System (80 FR 26893). No comments were received in response to the request for comments. By this notice, the Department is adopting the proposed system as final without changes effective June 18, 2015.

Dated: June 15, 2015.

Brenda Dolan,

Freedom of Information and Privacy Act Officer, U.S. Department of Commerce.

[FR Doc. 2015–15019 Filed 6–17–15; 8:45 am]

BILLING CODE 3510–25–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–020]

Melamine From the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Effective date June 18, 2015.

SUMMARY: The Department of Commerce (''Department'') preliminarily determines that melamine from the People's Republic of China (''PRC'') is being, or is likely to be, sold in the United States at less than fair value (''LTFV''), as provided in section 733 of the Tariff Act of 1930, as amended (''the Act''). The period of investigation (''POI'') is April 1, 2014, through September 30, 2014. The estimated margin of sales at LTFV is shown in the ''Preliminary Determination'' section of this notice. Interested parties are invited to comment on this preliminary determination.

FOR FURTHER INFORMATION CONTACT: James Terpstra, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3965.

SUPPLEMENTARY INFORMATION: The Department published the notice of initiation of this investigation on December 9, 2014.[1] Pursuant to section 733(c)(1)(A) of the Act, on March 12, 2015, the Department postponed this preliminary LTFV determination by a period of 50 days.[2]

Scope of the Investigation

The merchandise subject to this investigation is melamine (Chemical Abstracts Service (''CAS'') registry number 108–78–01, molecular formula $C_3H_6N_6$).[3] Melamine is a crystalline powder or granule typically (but not exclusively) used to manufacture melamine formaldehyde resins. All melamine is covered by the scope of this investigation irrespective of purity, particle size, or physical form. Melamine that has been blended with other products is included within this scope when such blends include constituent parts that have been intermingled, but that have not been chemically reacted with each other to produce a different product. For such blends, only the melamine component of the mixture is covered by the scope of these investigations. Melamine that is otherwise subject to this investigation is not excluded when commingled with melamine from sources not subject to this investigation. Only the subject component of such commingled products is covered by the scope of this investigation.

[1] *See Melamine from the People's Republic of China and Trinidad and Tobago: Initiation of Less-Than-Fair-Value Investigations,* 79 FR 73037 (December 9, 2014) (''*Initiation Notice*'').

[2] *See Melamine from the People's Republic of China and Trinidad and Tobago: Postponement of Preliminary Determinations of Antidumping Duty Investigations,* 80 FR 12979 (March 12, 2015).

[3] Melamine is also known as 2,4,6-triamino-s-triazine; l,3,5-Triazine-2,4,6-triamine; Cyanurotriamide; Cyanurotriamine; Cyanuramide; and by various brand names.

The subject merchandise is provided for in subheading 2933.61.0000 of the Harmonized Tariff Schedule of the United States (''HTSUS''). Although the HTSUS subheading and CAS registry number are provided for convenience and customs purposes, the written description of the scope is dispositive.

Methodology

The Department is conducting this investigation in accordance with section 731 of the Act. Because the mandatory respondents [4] in this investigation either withdrew from the proceeding or did not cooperate to the best of their ability with the Department's requests for information, the Department preliminarily determines that the application of adverse facts available (''AFA'') is warranted for this preliminary determination, in accordance with section 776 of the Act and 19 CFR 351.308. As a part of the application of AFA, we are treating the mandatory respondents as part of the PRC-wide entity. Because the PRC-wide entity also failed to cooperate to the best of its ability in complying with our requests for information,[5] we preliminarily determined an estimated weighted-average dumping margin based on adverse facts available for the PRC-wide entity, which includes the mandatory respondents.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum hereby adopted by this notice.[6] The list of topics discussed in the Preliminary Decision Memorandum is provided as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically *via* Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (''ACCESS''). ACCESS is available to registered users at *http://access.trade.gov,* and is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *http://trade.gov/enforcement/*. The signed Preliminary Decision Memorandum and the electronic version of the Preliminary Decision Memorandum are identical in content.

Combination Rates

In the *Initiation Notice,* the Department stated that it would calculate combination rates for the respondents that are eligible for a separate rate in this investigation.[7] Policy Bulletin 05.1 sets forth this practice.[8] However, as described in the Preliminary Decision Memorandum, all parties subject to this investigation are preliminarily found to be part of the PRC-wide entity, to which we do not assign aseparate combination rate. [9]

Preliminary Determination

The preliminary weighted-average antidumping duty margin percentage is as follows:

Exporter	Weighted-average margin (percent)
PRC-Wide Entity [10]	363.31

Disclosure and Public Comment

Normally, the Department discloses to interested parties the calculations performed in connection with a preliminary determination within five days of the date of publication of the notice of preliminary determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because the Department preliminarily applied AFA to the mandatory respondents in this investigation, in accordance with section 776 of the Act, there are no calculations to disclose. Accordingly, the calculations performed in connection with this preliminary determination are not proprietary in nature, and are described in the Preliminary Decision Memorandum.

Interested parties are invited to comment on this preliminary determination. Interested parties may submit case briefs to the Department no later than 30 days after the date of publication of this preliminary determination.[11] A table of contents, list of authorities used, and an executive summary of issues should accompany any briefs submitted to the Department.[12]

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically in ACCESS. An electronically filed document must be received successfully in its entirety in ACCESS, by 5:00 p.m. Eastern Standard Time, within 30 days after the date of publication of this notice.[13] Hearing requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues you intend to present at the hearing. If a request for a hearing is made, the Department intends to hold the hearing at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and location to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Suspension of Liquidation

In accordance with section 733(d) of the Act, the Department will instruct U.S. Customs and Border Protection (''CBP'') to suspend liquidation of all entries of melamine from the PRC, as described in the ''Scope of the Investigation'' section, entered, or withdrawn from warehouse, for

[4] The mandatory respondents are Allied Chemicals Inc. (''Allied Chemicals''), Xinji Jiuyuan Chemical Co. Ltd. (''Xinji Jiuyuan''), and Sichuan Golden-Elephant Sincerity Chemical Co., Ltd. (''Golden Elephant'').

[5] Specifically, the Department did not receive responses to its quantity and value questionnaire (''Q&V'') from 26 companies to which the Department confirmed receipt of the Q&V. *See* Memorandum to the File, ''Antidumping Duty Investigation of Melamine from the People's Republic of China: FedEx—UPS Delivery Confirmations,'' dated January 15, 2015.

[6] *See* Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, ''Decision Memorandum for Preliminary Determination of the Antidumping Duty Investigation of Melamine from the People's Republic of China,'' dated concurrently with this notice (''Preliminary Decision Memorandum'').

[7] *See Initiation Notice,* 79 at 73042.

[8] *See* Enforcement and Compliance Policy Bulletin No. 05.1 ''Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations involving Non-Market Economy Countries,'' (April 5, 2005) (''Policy Bulletin 05.1''), available on the Department's Web site at *http://enforcement.trade.gov/policy/bull05-1.pdf.*

[9] *Id.*

[10] The PRC-wide entity includes Allied, Xinji Jiuyuan, Golden Elephant, and Zhongyuan Dahua Group Inc., which withdrew from the investigation prior to respondent selection. The PRC-wide entity also includes 26 exporters who received a Q&V questionnaire from the Department but did not respond to the questionnaire. Those companies are: Anhui Jinhe Industrial Co., Ltd., Anhui Sunson Chemical Group Co., Ltd., Chengdu Yulong Chemical Co., Ltd., Fujian Sangang (Group), Hebei Jinglong Fengli Chemical Co., Ltd., Hefei Tianfeng Import & Export Co Ltd. China, Henan Zhongyuan Dahua Group Co., Ltd., JianFeng Chemicals, Jiangsu Heyou Group Co., Ltd., Jiangsu Sanmu Group Corporation, Kaiwei Investment Group, M and A Chemicals, Corp China, Nanjing Deju Trading Co Ltd. China, Nantong Zixin Industrial Co., Ltd., OCI Trading (Shanghai) Co., Ltd. China, Panjin Zhongrun Chemical Co., Ltd., Qingdao Shida Chemical Co., Ltd. China, Shandong Jinmei Mingshui Chemical Co., Ltd., Shandong Liaherd Chemical Industry Co., Ltd., Shandong Sanhe Chemical Company Ltd., Shandong Xintai Liaherd Chemical Co., Ltd., Shandong Yixing Melamine Co., Ltd., Sichuan Chemical Works Group Ltd., Sinopec Jinling Petrochemical Co., Ltd., Well Hope Enterprises Limited, and Zhejiang Fuyang Yongxing Chemical Co., Ltd.

[11] *See* 19 CFR 351.309(c)(1)(i).

[12] *See* 19 CFR 351.309(c)(2).

[13] *See* 19 CFR 351.310(c).

consumption on or after the date of publication of this notice in the **Federal Register**.

Pursuant to 19 CFR 351.205(d), the Department will instruct CBP to require a cash deposit [14] equal to the weighted-average amount by which normal value (NV) exceeds U.S. price, adjusted where appropriate for export subsidies and estimated domestic subsidy pass-through,[15] as follows: (1) The cash deposit rate for any exporter/producer combinations listed in the table above will be the rate the Department determines in this preliminary determination; (2) for all combinations of PRC exporters/producers of merchandise under consideration that have not received their own separate rate above, the cash-deposit rate will be the cash deposit rate established for the PRC-wide entity; and (3) for all non-PRC exporters of merchandise under consideration which have not received their own separate rate above, the cash-deposit rate will be the cash deposit rate applicable to the PRC exporter/producer combination that supplied that non-PRC exporter.

Furthermore, consistent with our practice, where the product under investigation is also subject to a concurrent countervailing duty investigation, we instruct CBP to require a cash deposit equal to the amount by which the NV exceeds the export price or constructed export price, less the amount of the countervailing duty determined to constitute an export subsidy. In this LTFV investigation, with regard to PRC-wide entity, export subsidies constitute 3.28 percent [16] of the preliminarily calculated countervailing duty rate in the concurrent countervailing duty investigation, and, thus, we will offset the PRC-wide rate of 363.31 percent by the countervailing duty rate attributable to export subsidies (*i.e.,* 3.28 percent) to calculate the cash deposit rate for this LTFV investigation.[17] We are not adjusting the PRC-wide rate for estimated domestic subsidy pass-through because we have no basis upon which to make such an adjustment.[18]

International Trade Commission (''ITC'') Notification

In accordance with section 733(f) of the Act, we notified the ITC of our preliminary affirmative determination of sales at LTFV. Section 735(b)(2) of the Act requires the ITC to make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of melamine, or sales (or the likelihood of sales) for importation, of the merchandise under consideration within 45 days of our final determination.

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(b)(2).

Dated: June 10, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
  1. Initiation
  2. Period of Investigation
  3. Postponement of Preliminary Determination
  4. Scope of the Investigation
  5. Scope Comments
  6. Selection of Respondents
III. Discussion of the Methodology
  1. Non-Market Economy Country
  2. Separate Rates and the PRC-wide Entity
  3. Application of Facts Available and Selection Based Upon Adverse Inferences for the PRC-Wide Entity
  4. Corroboration of AFA Rate
  5. Verification
  6. Section 777A(f) of the Act
IV. ITC Notification
V. Conclusion

[FR Doc. 2015–14973 Filed 6–17–15; 8:45 am]

BILLING CODE 3510–DS–P

[14] *See Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations,* 76 FR 61042 (October 3, 2011).

[15] *See* sections 772(c)(1)(C) and 777A(f) of the Act, respectively. Unlike in administrative reviews, the Department calculates the adjustment for export subsidies in investigations not in the margin calculation program, but in the cash deposit instructions issued to CBP. *See Notice of Final Determination of Sales at Less Than Fair Value, and Negative Determination of Critical Circumstances: Certain Lined Paper Products from India,* 71 FR 45012 (August 8, 2006), and accompanying Issues and Decision Memorandum at Comment 1.

[16] The following subsidy programs in the preliminary determination of the concurrent countervailing duty investigation are export subsidies: Preferential Export Financing from the Export-Import Bank of Chines (1.06%), Reduced Fee Export Insurance (1.06%), Grants to Cover Legal Fees in Trade Remedy Cases (0.58%), and Cash Grants for Exports (0.58%). *See Melamine From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Countervailing Duty Determination With Final Antidumping Duty Determination,* 80 FR 21706 (April 20, 2015), and accompanying Preliminary Decision Memorandum at 12–13.

[17] The cash deposit rate reflecting the export subsidy offset will be in effect until the countervailing duty provisional measures expire (*i.e.* 120 days after the publication of the preliminary determination of the companion countervailing duty investigation).

[18] *See* Preliminary Decision Memorandum at the section, ''Section 777A(f) of the Act.''

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–016]

Antidumping Duty Investigation of Certain Passenger Vehicle and Light Truck Tires From the People's Republic of China: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances, In Part

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Effective date June 18, 2015.

SUMMARY: The Department of Commerce (the Department) determines that imports of certain passenger vehicle and light truck tires (passenger tires) from the People's Republic of China (PRC) are being, or are likely to be, sold in the United States at less than fair value (LTFV), as provided in section 735 of the Tariff Act of 1930, as amended (the Act). The final weighted-average dumping margins for the investigation on passenger tires from the PRC are listed below in the ''Final Determination'' section of this notice.

FOR FURTHER INFORMATION CONTACT: Toni Page, Lingjun Wang, or Jun Jack Zhao, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–1398, (202) 482–2316, or (202) 482–1396, respectively.

SUPPLEMENTARY INFORMATION:

Background

On January 27, 2015, the Department published its affirmative preliminary determination that passenger tires from the PRC are being, or are likely to be, sold in the United States at less than fair value, as provided by section 733 of the Act.[1] The following events occurred since the preliminary determination. On March 26, 2015, we published an amended preliminary determination in the **Federal Register**.[2] From February 2, 2015 to February 13, 2015, and March 9, 2015 to March 13, 2015, the

[1] *See Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value; Preliminary Affirmative Determination of Critical Circumstances; In Part and Postponement of Final Determination,* 80 FR 4250 (January 27, 2015) (*Preliminary Determination*).

[2] *See Antidumping Duty Investigation of Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Amended Affirmative Preliminary Determination, 80 FR 15987 (March 26, 2015) (Amended Preliminary Determination).*

Department conducted sales and factors-of-production verifications of the two mandatory respondents: Giti Tire Global Trading Pte. Ltd., and its affiliates, Giti Tire (USA) Ltd., Giti Radial Tire (Anhui) Company Ltd., Giti Tire (Fujian) Company Ltd., Giti Tire (Hualin) Company Ltd. (collectively, the GITI companies); and Sailun Group Co. and its affiliates, Sailun Tire International Corp., Shandong Jinyu Industrial Co., Ltd., Jinyu International Holding Co., Limited, Seatex International Inc., Dynamic Tire Corp., Husky Tire Corp., Seatex PTE. Ltd., (collectively, the Sailun Group). The Department issued verification reports for the GITI companies on March 20, and March 27, 2015; and for Sailun Group on March 20, and March 30, 2015, respectively.[3] On April 10, 2015, Petitioner,[4] the GITI companies, Sailun Group, and a number of separate rate applicants filed case briefs. On April 20, 2015, parties filed rebuttal briefs. On April 28, 2015, the Department held a hearing with respect to this investigation. Interested parties also filed case briefs and rebuttal briefs on the scope related issues on April 6, and April 13, respectively. On May 14, 2015, the Department held a separate hearing on scope related issues to this investigation.

Period of Investigation

The period of investigation (POI) is October 1, 2013, through March 31, 2014.

Scope of the Investigation and Scope Comments

The products covered by this investigation are certain passenger tires from the PRC. The products covered by the investigation are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4011.10.10.10, 4011.10.10.20, 4011.10.10.30, 4011.10.10.40, 4011.10.10.50, 4011.10.10.60, 4011.10.10.70, 4011.10.50.00, 4011.20.10.05, and 4011.20.50.10. Tires meeting the scope description may also enter under the following HTSUS subheadings: 4011.99.45.10, 4011.99.45.50, 4011.99.85.10, 4011.99.85.50, 8708.70.45.45, 8708.70.45.60, 8708.70.60.30, 8708.70.60.45, and 8708.70.60.60. While HTSUS subheadings are provided for convenience and for customs purposes, the written description of the subject merchandise is dispositive.

The Department received comments regarding the scope of this investigation from numerous interested parties, which we have summarized and addressed in the accompanying Issues and Decision Memorandum.[5] As explained in the Issues and Decision Memorandum, to facilitate the scope's administrability and enforcement, we have clarified the scope language such that ''N'' speed-rated specialty trailer tires that meet certain requirements are excluded from the scope.[6] For a complete description of the scope of the investigation, *see* Appendix II to this notice.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this investigation are addressed in the Issues and Decision Memorandum accompanying this notice, which is hereby adopted by this notice. A list of the issues which the parties raised and to which the Department responded in the memorandum appears in Appendix I of this notice. The Issues and Decision Memorandum is a public document and is on file electronically *via* Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov* and is available to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/.* The signed and electronic versions of the memorandum are identical in content.

Changes Since the Amended Preliminary Determination

Based on our review and analysis of the comments received from parties, and minor corrections presented at verification, we made certain changes to the GITI companies' and the Sailun Group's margin calculations since the *Amended Preliminary Determination.* For a discussion of these changes, *see* the Issues and Decision Memorandum and the Final Analysis Memoranda, all dated concurrently with this notice.[7]

Combination Rates

In the *Initiation Notice,* the Department stated that it would calculate combination rates for the respondents that are eligible for a separate rate in this investigation.[8] Policy Bulletin 05.1 sets forth this practice.[9]

Final Determination

The Department determines that the estimated final weighted-average dumping margins are as follows:

[1] *See Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value; Preliminary Affirmative Determination of Critical Circumstances; In Part and Postponement of Final Determination,* 80 FR 4250 (January 27, 2015) (*Preliminary Determination*).

[2] *See Antidumping Duty Investigation of Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Amended Affirmative Preliminary Determination, 80 FR 15987 (March 26, 2015) (Amended Preliminary Determination).*

[3] *See* Verification Report of the Sales and Factors Responses of Giti Tire Global Trading Pte. Ltd. and Its Affiliated Subsidiaries in the Antidumping Duty Investigation of Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China, dated March 20, 2015 (GITI China Verification Report); Verification Report of U.S. Sales of Giti Tire (USA) Ltd. in the Antidumping Duty Investigation of Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China, dated March 27, 2015 (GITI CEP Verification Report); Verification of the Sales and Factors Response of Sailun Group Co., Ltd., Sailun Tire International Corp., Shandong Jinyu Industrial Co., Ltd., Jinyu International Holding Co., Limited, Seatex International Inc., Dynamic Tire Corp., Husky Tire Corp., and Seatex PTE. Ltd. in the Antidumping Investigation of Passenger Vehicle and Light Truck Tires from the People's Republic of China, dated March 20, 2015 (Sailun China Verificaiton Report); and Verification of the U.S. Sales Responses of Sailun Group Co., Ltd., in the Antidumping Duty Investigation of Passenger Vehicle and Light Truck Tires from the People's Republic of China, dated March 30, 2015 (Sailun CEP Verificaiton Report).

[4] Petitioner is United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL–CIO, CLC.

[7] *See* Final Analysis Memorandum for the PRC-Wide Entity, Final Analysis Memorandum for Giti Tire Global Trading Pte. Ltd. and its affiliates, and Final Analysis Memorandum for Sailun Group Co. and its affiliates, dated concurrently with this notice.

[8] *See Certain Passenger Vehicle and Light Truck Tires From the People's Republic of China: Initiation of Antidumping Duty Investigation,* 79 FR 42292 (July 21, 2014) (*Initiation Notice*).

[9] *See* Enforcement and Compliance Policy Bulletin No. 05.1 ''Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations involving Non-Market Economy Countries,'' (April 5, 2005) (Policy Bulletin 05.1), available on the Department's Web site at *http://enforcement.trade.gov/policy/bull05-1.pdf.*

Exporter(s)	Producer(s)	Weighted-average dumping margin (percent)
Giti Tire Global Trading Pte. Ltd., Giti Tire (USA) Ltd., Giti Radial Tire (Anhui) Company Ltd., Giti Tire (Fujian) Company Ltd., Giti Tire (Hualin) Company Ltd., (Collectively, the GITI Companies).	Giti Radial Tire (Anhui) Company Ltd., Giti Tire (Fujian) Company Ltd., Giti Tire (Hualin) Company Ltd.	29.97
Sailun Group Co., Ltd. (aka Sailun Jinyu Group Co., Ltd.), Sailun Tire International Corp., Shandong Jinyu Industrial Co., Ltd., Jinyu International Holding Co., Limited, Seatex International Inc., Dynamic Tire Corp., Husky Tire Corp., Seatex PTE. Ltd., (Collectively, Sailun Group).	Sailun Group Co., Ltd. (aka Sailun Jinyu Group Co., Ltd.), Shandong Jinyu Industrial Co., Ltd.	14.35
Cooper Tire & Rubber Company	Cooper Chengshan (Shandong) Tire Co., Ltd., Cooper (Kunshan) Tire Co., Ltd.	25.30
Cooper Chengshan (Shandong) Tire Co., Ltd	Cooper Chengshan (Shandong) Tire Co., Ltd	25.30
Cooper (Kunshan) Tire Co., Ltd	Cooper (Kunshan) Tire Co., Ltd	25.30
Best Choice International Trade Co., Limited	Qingdao Sentury Tire Co., Ltd., Shandong Haohua Tire Co., Ltd., Beijing Capital Tire Co., Ltd.	25.30
Bridgestone (Wuxi) Tire Co., Ltd	Bridgestone (Wuxi) Tire Co., Ltd	25.30
Bridgestone Corporation	Bridgestone (Wuxi) Tire Co., Ltd	25.30
Cheng Shin Tire & Rubber (China) Co., Ltd	Cheng Shin Tire & Rubber (China) Co., Ltd., Cheng Shin Tire & Rubber (Chongqing) Co., Ltd.	25.30
Crown International Corporation	Shandong Guofeng Rubber Plastics Co., Ltd., Shandong Haohua Tire Co., Ltd., Shandong Jinyu Industrial Co., Ltd., Doublestar-Dongfeng Tyre Co., Ltd., Shengtai Group Co., Ltd., Qingdao Doublestar Tire Industrial Co., Ltd., Shandong Yongtai Chemical Co., Ltd.	25.30
Goodyear Dalian Tire Company Limited	Goodyear Dalian Tire Company Limited	25.30
Guangzhou Pearl River Rubber Tyre Ltd	Guangzhou Pearl River Rubber Tyre Ltd	25.30
Hankook Tire China Co., Ltd	Hankook Tire China Co., Ltd	25.30
Hebei Tianrui Rubber Co., Ltd	Hebei Tianrui Rubber Co., Ltd	25.30
Highpoint Trading, Ltd	Federal Tire (Jiangxi) Ltd	25.30
Hong Kong Tiancheng Investment & Trading Co., Limited	Shandong Linglong Tyre Co., Ltd	25.30
Hong Kong Tri-Ace Tire Co., Limited	Shandong Yongtai Chemical Co., Ltd., Doublestar-Dongfeng Tyre Co., Ltd.	25.30
Hwa Fong Rubber (Hong Kong) Ltd	Hwa Fong Rubber (Suzhou) Co., Ltd	25.30
Jiangsu Hankook Tire Co., Ltd	Jiangsu Hankook Tire Co., Ltd	25.30
Kenda Rubber (China) Co., Ltd	Kenda Rubber (China) Co., Ltd	25.30
Kumho Tire Co., Inc	Kumho Tire (Tianjin) Co., Inc., Nanjing Kumho Tire Co., Ltd., Kumho Tire (Changchun) Co., Inc.	25.30
Mayrun Tyre (Hong Kong) Limited	South China Tire & Rubber Co., Ltd., Shandong Haohua Tire Co., Ltd.	25.30
Nankang (Zhangjiagang Free Trade Zone) Rubber Industrial Co., Ltd.	Nankang (Zhangjiagang Free Trade Zone) Rubber Industrial Co., Ltd.	25.30
Pirelli Tyre Co., Ltd	Pirelli Tyre Co., Ltd	25.30
Qingdao Crown Chemical Co., Ltd	Shandong Guofeng Rubber Plastics Co., Ltd., Shandong Haohua Tire Co., Ltd., Shandong Jinyu Industrial Co., Ltd., Doublestar-Dongfeng Tyre Co., Ltd.	25.30
Qingdao Free Trade Zone Full-World International Trading Co., Ltd.	Shandong Zhentai Group Co., Ltd., Longkou Xinglong Tyre Co., Ltd., Hebei Tianrui Rubber Co., Ltd.	25.30
Qingdao Fullrun Tyre Corp. Ltd	Fullrun Tyre Tech Corp., Ltd., Shengtai Group Co., Ltd., Shandong Zhongyi Rubber Co., Ltd., Shandong Guofeng Rubber Plastics Co, Ltd., Deruibao Tire Co., Ltd., Shandong New Continent Tire Co., Ltd., Shandong Fengyuan Tyre Manufacturing Co., Ltd., Sichuan Tyre & Rubber Co., Ltd., Qingdao Futaian Tyre Teck. Co., Ltd., Good Friend Tyre Co., Ltd., Shandong Hengyu Science & Technology Co., Ltd., Shandong Longyue Rubber Co., Ltd., Shouguang Firemax Tyre Co., Ltd., Beijing Capital Tire Co., Ltd., Shandong Wanda Boto Tyre Co., Ltd., Zhaoqing Junhong Co., Ltd., Shandong Huasheng Rubber Co., Ltd., Shandong Haohua Tire Co., Ltd., Shandong Province Sanli Tire Manufactured Co., Ltd.	25.30
Qingdao Fullrun Tyre Tech Corp., Ltd	Qingdao Fullrun Tyre Tech Corp., Ltd	25.30
Qingdao Honghua Tyre Factory	Qingdao Honghua Tyre Factory	25.30
Qingdao Nama Industrial Co., Ltd	Shandong Guofeng Rubber Plastics Co., Ltd., Shandong Hengyu Science & Technology Co., Ltd., Shandong Longyue Rubber Co., Ltd., Shandong Haohua Tire Co., Ltd., Shouguang Firemax Tyre Co., Ltd., Shandong Zhongyi Rubber Co., Ltd., Shandong Yonking Rubber Co., Ltd., Shandong Hongsheng Rubber Technology Co., Ltd.	25.30
Qingdao Nexen Tire Corporation	Qingdao Nexen Tire Corporation	25.30

Exporter(s)	Producer(s)	Weighted-average dumping margin (percent)
Qingdao Odyking Tyre Co., Ltd	Doublestar-Dongfeng Tyre Co., Ltd., Shandong Fengyuan Tire Manufacturing Co., Ltd., Shouguang Firemax Tyre Co., Ltd.	25.30
Qingdao Qianzhen Tyre Co., Ltd	Qingdao Qianzhen Tyre Co., Ltd	25.30
Qingdao Qihang Tyre Co., Ltd	Qingdao Qihang Tyre Co., Ltd	25.30
Qingdao Qizhou Rubber Co., Ltd	Qingdao Qizhou Rubber Co., Ltd	25.30
Qingdao Sentury Tire Co., Ltd	Qingdao Sentury Tire Co., Ltd	25.30
Shandong Anchi Tyres Co., Ltd	Shandong Anchi Tyres Co., Ltd	25.30
Shandong Changfeng Tyres Co., Ltd	Shandong Changfeng Tyres Co., Ltd	25.30
Shandong Duratti Rubber Corporation Co., Ltd	Shandong Duratti Rubber Corporation Co., Ltd	25.30
Shandong Guofeng Rubber Plastics Co., Ltd	Shandong Guofeng Rubber Plastics Co., Ltd	25.30
Shandong Haohua Tire Co., Ltd	Shandong Haohua Tire Co., Ltd	25.30
Shandong Haolong Rubber Tire Co., Ltd	Shandong Haolong Rubber Tire Co., Ltd	25.30
Shandong Hawk International Rubber Industry Co., Ltd	Shandong Hawk International Rubber Industry Co., Ltd	25.30
Shandong Hengyu Science & Technology Co., Ltd	Shandong Hengyu Science & Technology Co., Ltd	25.30
Shandong Huitong Tyre Co., Ltd	Shandong Huitong Tyre Co., Ltd., Laiwu Sunshine Tyre Co., Ltd.	25.30
Shandong Linglong Tyre Co., Ltd	Shandong Linglong Tyre Co., Ltd	25.30
Shandong Longyue Rubber Co., Ltd	Shandong Longyue Rubber Co., Ltd	25.30
Shandong New Continent Tire Co., Ltd	Shandong New Continent Tire Co., Ltd	25.30
Shandong Province Sanli Tire Manufactured Co., Ltd	Shandong Province Sanli Tire Manufactured Co., Ltd	25.30
Shandong Shuangwang Rubber Co., Ltd	Shandong Shuangwang Rubber Co., Ltd	25.30
Shandong Wanda Boto Tyre Co., Ltd	Shandong Wanda Boto Tyre Co., Ltd	25.30
Shandong Yongtai Chemical Co., Ltd	Shandong Yongtai Chemical Co., Ltd	25.30
Shandong Zhongyi Rubber Co., Ltd	Shandong Zhongyi Rubber Co., Ltd	25.30
Shengtai Group Co., Ltd	Shengtai Group Co., Ltd., Shandong Shengshitailai Rubber Technology Co., Ltd.	25.30
Shifeng Juxing Tire Co., Ltd	Shifeng Juxing Tire Co., Ltd	25.30
Shouguang Firemax Tyre Co., Ltd	Shouguang Firemax Tyre Co., Ltd	25.30
Southeast Mariner International Co., Ltd	Dongying Zhongyi Rubber Co., Ltd., Shandong Haohua Tire Co., Ltd.	25.30
Techking Tires Limited	Shandong Longyue Rubber Co., Ltd	25.30
Toyo Tire (Zhangjiagang) Co., Ltd	Toyo Tire (Zhangjiagang) Co., Ltd	25.30
Triangle Tyre Co., Ltd	Triangle Tyre Co., Ltd	25.30
Tyrechamp Group Co., Limited	Shandong Haohua Tire Co., Ltd., Sichuan Tyre & Rubber Co., Ltd., Shandong Anchi Tyres Co., Ltd., Beijing Capital Tire Co. Ltd., Shandong Wanda Boto Tyre Co., Ltd., Shandong Wosen Rubber Co., Ltd., Shandong Zhentai Group Co., Ltd., Shandong Yonking Rubber Co., Ltd., Qingdao Doublestar Tire Industrial Co., Ltd., South China Tire & Rubber Co. Ltd., Anhui Heding Tire Technology Co., Ltd.	25.30
Weihai Ping'an Tyre Co., Ltd	Weihai Ping'an Tyre Co., Ltd	25.30
Weihai Zhongwei Rubber Co., Ltd	Weihai Zhongwei Rubber Co., Ltd	25.30
Wendeng Sanfeng Tyre Co., Ltd	Wendeng Sanfeng Tyre Co., Ltd	25.30
Winrun Tyre Co., Ltd	Shaanxi Yanchang Petroleum Group Rubber Co. Ltd	25.30
Zenith Holdings (HK) Limited	Shandong Linglong Tyre Co., Ltd	25.30
Zhaoqing Junhong Co., Ltd	Zhaoqing Junhong Co., Ltd	25.30
PRC-Wide Entity *		87.99

** The PRC-wide entity includes, among other companies, Yongsheng Rubber Group Co., Ltd. (Yongsheng), a mandatory respondent in this investigation that did not demonstrate that it is entitled to a separate rate. Accordingly, we consider Yongsheng to be part of the PRC-Wide Entity.*

Disclosure

We intend to disclose to parties the calculations performed in this proceeding within five days of any public announcement of this notice in accordance with 19 CFR 351.224(b).

Final Affirmative Determination of Critical Circumstances, In Part

We continue to find that critical circumstances do not exist for the GITI companies and the Sailun Group. In addition, we found that critical circumstances do not exist for the separate rate companies, while they do exist for the PRC-wide entity. A discussion of our determination can be found in the Issues and Decision Memorandum at the section, ''Critical Circumstances.''

Continuation of Suspension of Liquidation

As noted above, for this final determination, the Department found that critical circumstances exist with respect to imports of the subject merchandise from the PRC-wide entity. Therefore, in accordance with section 735(c)(4)(A) of the Act, we will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all imports of the merchandise subject to the investigation from the PRC-wide entity, that were entered or withdrawn from warehouse, for consumption on or after October 29, 2014, 90 days prior to publication of the *Preliminary Determination* in the **Federal Register**, and require a cash deposit for such entries as noted below.

Because we did not find that critical circumstances exist with respect to the GITI companies, the Sailun Group, and the separate rate companies,[10] in

[10] With regard to the separate rate companies, we will also instruct CBP to terminate suspension and to release any bond or other security, and refund

accordance with section 735(c)(1)(B) of the Act, we will instruct CBP to continue to suspend liquidation of all appropriate entries of passenger tires from the PRC, as described in the ''Scope of the Investigation and Scope Comments'' section of this notice and which were entered, or withdrawn from warehouse, for consumption on or after January 27, 2015, the date of publication of the *Preliminary Determination* in the **Federal Register**.

Pursuant to 19 CFR 351.205(d), we will instruct CBP to require a cash deposit [11] for all suspended entries at an *ad valorem* rate equal to the weighted-average amount by which normal value exceeds U.S. price, as follows: (1) The cash deposit rate for the exporter/producer combination listed in the table above will be the rate identified for that combination in the table adjusted where appropriate for export subsidies and estimated domestic subsidy pass-through; [12] (2) for all combinations of PRC exporters/producers of merchandise under consideration that have not received their own separate rate above, the cash-deposit rate will be the cash deposit rate established for the PRC-wide entity, 87.99 percent, adjusted where appropriate for export subsidies and estimated domestic subsidy pass-through; and (3) for all non-PRC exporters of the merchandise under consideration which have not received their own separate rate above, the cash-deposit rate will be the cash deposit rate applicable to the PRC exporter/producer combination that supplied that non-PRC exporter. These suspension of liquidation and cash deposit instructions will remain in effect until further notice.

As stated previously, we will adjust cash deposit rates by the amount of export subsidies, where appropriate. In the companion CVD investigation, GITI companies received a calculated export subsidy rate of 15.03 percent while the all-others companies received a calculated export subsidy rate of 13.53 percent.[13] Therefore, we will offset GITI companies' cash deposit rate of 29.97 percent by 15.03 percent, while the Sailun Group's and the separate rate companies' cash deposit rates of 14.35 percent and 25.30 percent, respectively, will be reduced by 13.53 percent as these companies were considered ''all-others'' companies in the companion CVD case. For Cooper Tire & Rubber Company, Cooper (Kunshan) Tire Co., Ltd., and Cooper Chengshan (Shandong) Tire Co., Ltd. (collectively, Cooper), another mandatory respondent in the companion CVD investigation, we will offset its cash deposit rate of 25.30 percent by its cacluated export subsidy rate of 11.13 percent. Finally, we are adjusting the cash deposit rate applicable to the PRC-wide entity for export subsidies, by the lowest export subsidy rate determined for any party in the companion CVD proceeding, which is 11.13 percent.[14]

Pursuant to 777A(f) of the Act, we are also adjusting final cash deposit rates for estimated domestic subsidy pass-through, where appropriate. We will adjust the Sailun Group's,[15] Cooper's and the separate rate companies' cash deposit rates by 3.59 percent to account for estimated domestic subsidy pass-through.[16] We are also adjusting GITI companies' and the PRC-wide entity's cash deposit rate by 0.40 percent to account for estimated domestic subsidy pass-through.[17]

International Trade Commission Notification

In accordance with section 735(d) of the Act, we will notify the International Trade Commission (ITC) of the final affirmative determination of sales at less than fair value. Because the final determination in this proceeding is affirmative, the ITC will make its final determination, in accordance with section 735(b)(2) of the Act, as to whether the domestic industry in the United States is materially injured, threatened with material injury, or the establishment of an industry in the United States is materially retarded by reason of imports of passenger tires from the PRC, no later than 45 days after our final determination. If the ITC determines that material injury, threat of material injury, or material retardation does not exist, this proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury or material retardation does exist, then the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Notification Regarding Administrative Protective Orders (APO)

In the event the ITC issues a final negative injury determination, this notice will serve as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

This determination and notice are issued and published pursuant to sections 735(d) and 777(i)(1) of the Act.

Dated: June 11, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I

Outline of the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the Investigation
IV. Use of Adverse Facts Available
V. Critical Circumstances
VI. Margin Calculations
VII. Discussion of the Issues
VIII. Recommendation

List of Topics Discussed in the Issues and Decision Memorandum

Comment 1: Whether to Modify the Language of the Exclusion on Special Trailer (ST) Tires

any cash deposit made, to secure the payment of estimated antidumping duties with respect to entries of the merchandise entered, or withdrawn from warehouse, for consumption on or after October 29, 2014 (*i.e.,* 90 days prior to the date of publication of the **Federal Register**), but before January 27, 2015 (the date of publication of the *Preliminary Determination*).

[11] *See Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations,* 76 FR 61042 (October 3, 2011).

[12] *See* sections 772(c)(1)(C) and 777A(f) of the Act, respectively. Unlike in administrative reviews, the Department calculates the adjustment for export subsidies in investigations not in the margin-calculation program, but in the cash-deposit instructions issued to CBP. *See Notice of Final Determination of Sales at Less Than Fair Value, and Negative Determination of Critical Circumstances: Certain Lined Paper Products from India,* 71 FR 45012 (August 8, 2006), and accompanying Issues and Decision memorandum at Comment 1.

[13] *See Cerain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Final Affirmative Countervailing Duty Determination* and accompanying Issues and Decision Memorandum (*CVD Final*). The final determination in this companion CVD proceeding is being concurrently released on the same day as this final determination. *See also,* Memorandum to the File, ''Certain Passenger Vehicle and Light Truck from the People's Republic of China: Double Remides Final Calculation Memorandum,'' dated concurrently with this notice (Double Remedies Memorandum).

[14] *Id.*

[15] Sailun Group's AD cash deposit rate after adjusting for export subsidies and estimated domestic subsidy pass-through will be zero percent. We will instruct CBP to require a cash deposit for all of Sailun Group's suspended entries at an *ad valorem* rate of zero percent.

[16] *See CVD Final* and Double Remedies Memorandum.

[17] *Id.*

Comment 2: Whether Slingshot Tires Are Included in the Scope
Comment 3: Critical Circumstances
Comment 4: Whether Sailun Group Should Receive a Double Remedy Adjustment
Comment 5: Whether the Department Applied the Appropriate Double Remedy Adjustment to Cooper
Comment 6: Whether GITI Companies Should Receive a Double Remedy Adjustment
Comment 7: Analysis of the Pass-through Rate of the Double Remedy Adjustment
Comment 8: Whether to Grant Sailun Group an Offset for By-Products
Comment 9: Whether to Include Goodyear Thailand's Financial Statements in the Calculation of the Financial Ratios
Comment 10: Whether to Include Export Expenses in the SG&A Ratios for SR Tyres and Hihero
Comment 11: Whether to Include All Labor Related Costs in the Denominator of the Financial Ratios Calculation
Comment 12: Selection of Surrogate Country
Comment 13: Valuation of Labor
Comment 14: Valuation of Market Economy Purchases
Comment 15: Valuation of Truck Freight
Comment 16: Calculation of Market Economy Purchases
Comment 17: Valuation of Brokerage & Handling
Comment 18: Valuation of GITI Companies' Steam
Comment 19: Valuation of Sailun Group's Steam
Comment 20: Valuation of GITI Companies' Ocean Freight
Comment 21: Valuation of Sailun Group's Ocean Freight
Comment 22: Valuation of Sailun Group's U.S. Inland Freight
Comment 23: Valuation of Sailun Group's Reclaimed Rubber
Comment 24: Sailun Group's Name Change
Comment 25: Cooper's Name Change
Comment 26: Shandong Yongtai Chemical Co., Ltd.'s (Yongtai) Name Change
Comment 27: Application of AFA to all Subject Merchandise Produced by Yongsheng
Comment 28: Whether the Department Properly Accounted for the Weighted-Average Price of Certain Market Economy Purchases
Comment 29: Whether the Department Made All Appropriate Adjustments in the Calculation of Sailun Group's U.S. Price
Comment 30: Whether the Department Should Apply AFA to GITI Companies' Unreported Sales Submitted as a Minor Correction at Verification
Comment 31: Whether the Department Should Use the GITI Companies' Revised Databases that Include All the Minor Corrections
Comment 32: Whether the Department Should Reduce the Sailun Group's U.S. Prices by the Amount of the Irrecoverable VAT
Comment 33: Whether the Irrecoverable VAT Percentage Should Be Applied to the FOB China Value
Comment 34: Whether the Department Correctly Reduced the U.S. Price by the Amount of the Irrecoverable VAT
Comment 35: The Department's Authority to Apply a PRC-Wide Rate
Comment 36: PRC Government Control of the Economy
Comment 37: Guangzhou Wanli Tire Trading Co. Ltd.'s (Wanli) Separate Rate Status
Comment 38: Guizhou Tyre Import and Export Co., Ltd.'s (GTCIE) Separate Rate Status
Comment 39: Double Coin Holdings' (Double Coin) Separate Rate Status
Comment 40: Shaanxi Yanchang Petroleum Group Rubber Co., Ltd.'s (Shaanxi) Separate Rate Status
Comment 41: Sichuan Tyre and Rubber Co. Ltd.'s (Sichuan Tyre) Separate Rate Status
Comment 42: Zhongce Rubber Group Company Limited's (Zhongce) Separate Rate Status
Comment 43: Shandong Anchi Tyres Co., Ltd.'s (Anchi) Separate Rate Status
Comment 44: America Business Co., Ltd.'s (America Business) Separate Rate Status
Comment 45: Highpoint Trading, Ltd., (Highpoint) and Federal Tire (Jiangxi), Ltd. (Jiangxi) Separate Rate Status
Comment 46: Qingdao Jinhaoyang International Co., Ltd.'s (Jinhaoyang) Separate Rate Status
Comment 47: Qingdao Au-Shine Group Co., Limited's (Au-Shine) Separate Rate Status
Comment 48: Qingdao Fuyingxiang Imp. & Exp. Co., Ltd.'s (Fuyingxiang) Separate Rate Status
Comment 49: Shandong Changfeng Tyres Co., Ltd.'s (Changfeng) Separate Rate Status
Comment 50: Shandong Fengyuan Tire Manufacturing Co., Ltd.'s (Fengyuan) Separate Rate Status
Comment 51: Longkou Xinglong Tyre Co., Ltd.'s (Longkou) Separate Rate Status
Comment 52: Liaoning Permanent Tyre Co., Ltd.'s (Permanent) Separate Rate Status
Comment 53: Qingdao Fullrun Tyre Corp. Ltd.'s (Fullrun) Separate Rate Status
Comment 54: Zhejiang Qingda Rubber Co., Ltd.'s (Qingda) Separate Rate Status

Appendix II

Scope of the Investigation

The scope of this investigation is passenger vehicle and light truck tires. Passenger vehicle and light truck tires are new pneumatic tires, of rubber, with a passenger vehicle or light truck size designation. Tires covered by this investigation may be tube-type, tubeless, radial, or non-radial, and they may be intended for sale to original equipment manufacturers or the replacement market.

Subject tires have, at the time of importation, the symbol ''DOT'' on the sidewall, certifying that the tire conforms to applicable motor vehicle safety standards. Subject tires may also have the following prefixes or suffix in their tire size designation, which also appears on the sidewall of the tire:

Prefix designations:

P—Identifies a tire intended primarily for service on passenger cars

LT—Identifies a tire intended primarily for service on light trucks

Suffix letter designations:

LT—Identifies light truck tires for service on trucks, buses, trailers, and multipurpose passenger vehicles used in nominal highway service.

All tires with a ''P'' or ''LT'' prefix, and all tires with an ''LT'' suffix in their sidewall markings are covered by this investigation regardless of their intended use.

In addition, all tires that lack a ''P'' or ''LT'' prefix or suffix in their sidewall markings, as well as all tires that include any other prefix or suffix in their sidewall markings, are included in the scope, regardless of their intended use, as long as the tire is of a size that is among the numerical size designations listed in the passenger car section or light truck section of the *Tire and Rim Association Year Book,* as updated annually, unless the tire falls within one of the specific exclusions set out below.

Passenger vehicle and light truck tires, whether or not attached to wheels or rims, are included in the scope. However, if a subject tire is imported attached to a wheel or rim, only the tire is covered by the scope.

Specifically excluded from the scope of this investigation are the following types of tires:

(1) Racing car tires; such tires do not bear the symbol ''DOT'' on the sidewall and may be marked with ''ZR'' in size designation;

(2) new pneumatic tires, of rubber, of a size that is not listed in the passenger car section or light truck section of the *Tire and Rim Association Year Book;*

(3) pneumatic tires, of rubber, that are not new, including recycled and retreaded tires;

(4) non-pneumatic tires, such as solid rubber tires;

(5) tires designed and marketed exclusively as temporary use spare tires for passenger vehicles which, in addition, exhibit each of the following physical characteristics:

(a) The size designation and load index combination molded on the tire's sidewall are listed in Table PCT–1B (''T'' Type Spare Tires for Temporary Use on Passenger Vehicles) of the *Tire and Rim Association Year Book,*

(b) the designation ''T'' is molded into the tire's sidewall as part of the size designation, and,

(c) the tire's speed rating is molded on the sidewall, indicating the rated speed in MPH or a letter rating as listed by *Tire and Rim Association Year Book,* and the rated speed is 81 MPH or a ''M'' rating;

(6) tires designed and marketed exclusively for specialty tire (ST) use which, in addition, exhibit each of the following conditions:

(a) The size designation molded on the tire's sidewall is listed in the ST sections of the *Tire and Rim Association Year Book,*

(b) the designation ''ST'' is molded into the tire's sidewall as part of the size designation,

(c) the tire incorporates a warning, prominently molded on the sidewall, that the tire is ''For Trailer Service Only'' or ''For Trailer Use Only'',

(d) the load index molded on the tire's sidewall meets or exceeds those load indexes listed in the *Tire and Rim Association Year Book* for the relevant ST tire size, and

(e) either

(i) the tire's speed rating is molded on the sidewall, indicating the rated speed in MPH

or a letter rating as listed by *Tire and Rim Association Year Book,* and the rated speed does not exceed 81 MPH or an ''M'' rating; or

(ii) the tire's speed rating molded on the sidewall is 87 MPH or an ''N'' rating, and in either case the tire's maximum pressure and maximum load limit are molded on the sidewall and either

(1) both exceed the maximum pressure and maximum load limit for any tire of the same size designation in either the passenger car or light truck section of the *Tire and Rim Association Year Book;* or

(2) if the maximum cold inflation pressure molded on the tire is less than any cold inflation pressure listed for that size designation in either the passenger car or light truck section of the *Tire and Rim Association Year Book,* the maximum load limit molded on the tire is higher than the maximum load limit listed at that cold inflation pressure for that size designation in either the passenger car or light truck section of the *Tire and Rim Association Year Book;*

(7) tires designed and marketed exclusively for off-road use and which, in addition, exhibit each of the following physical characteristics:

(a) The size designation and load index combination molded on the tire's sidewall are listed in the off-the-road, agricultural, industrial or ATV section of the *Tire and Rim Association Year Book,*

(b) in addition to any size designation markings, the tire incorporates a warning, prominently molded on the sidewall, that the tire is ''Not For Highway Service'' or ''Not for Highway Use'',

(c) the tire's speed rating is molded on the sidewall, indicating the rated speed in MPH or a letter rating as listed by the *Tire and Rim Association Year Book,* and the rated speed does not exceed 55 MPH or a ''G'' rating, and

(d) the tire features a recognizable off-road tread design.

The products covered by the investigation are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4011.10.10.10, 4011.10.10.20, 4011.10.10.30, 4011.10.10.40, 4011.10.10.50, 4011.10.10.60, 4011.10.10.70, 4011.10.50.00, 4011.20.10.05, and 4011.20.50.10. Tires meeting the scope description may also enter under the following HTSUS subheadings: 4011.99.45.10, 4011.99.45.50, 4011.99.85.10, 4011.99.85.50, 8708.70.45.45, 8708.70.45.60, 8708.70.60.30, 8708.70.60.45, and 8708.70.60.60. While HTSUS subheadings are provided for convenience and for customs purposes, the written description of the subject merchandise is dispositive.

[FR Doc. 2015–15058 Filed 6–17–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–837, A–570–954, C–570–955]

Certain Magnesia Carbon Bricks From the People's Republic of China and Mexico: Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On May 22, 2015, the United States Court of International Trade (CIT) sustained the Final Redetermination issued by the Department of Commerce (Department), in which it determined that Fedmet Resources Corporation's (Fedmet) Bastion® magnesia alumina carbon bricks (MACBs) are outside the scope of the antidumping and countervailing duty orders on certain magnesia carbon bricks (MCBs) from Mexico and the People's Republic of China (PRC),[1] pursuant to the CIT's remand order in *Fedmet Resources Corporation* v. *United States,* Court No. 12–00215 (CIT February 23, 2015).[2]

Consistent with the decision of the United States Court of Appeals for the Federal Circuit (CAFC) in *Timken,*[3] as clarified by *Diamond Sawblades,*[4] the Department is notifying the public that the final judgment in this case is not in harmony with the Department's Final Scope Ruling on Bastion® MACBs[5] and is amending its final scope ruling.

DATES: *Effective Date:* June 1, 2015.

FOR FURTHER INFORMATION CONTACT: Andrew Huston, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–4261.

SUPPLEMENTARY INFORMATION:

Background

On May 3, 2011, Fedmet filed a request for a scope ruling claiming that its Bastion® MACBs are outside the scope of the *Orders.* The Department issued its Final Scope Ruling on July 2, 2012, and found that Fedmet's Bastion® MACBs are included in the scope of the *Orders.*

Fedmet challenged the Department's Final Scope Ruling before the CIT. On May 30, 2013, the CIT sustained the Department's analysis pursuant to 19 CFR 351.225(k)(1) and (k)(2).[6] Fedmet appealed the CIT's judgment to the CAFC. On June 20, 2014, in a divided decision, the CAFC reversed the CIT.[7] The CAFC held that the references to ''MACBs'' in the (k)(1) sources resolved the inquiry and that the scope of the *Orders* did not extend to MACBs.[8]

On February 23, 2015, the Department issued its Final Redetermination and found that, pursuant to the CAFC's decision and the CIT's subsequent remand order, Bastion® MACBs imported by Fedmet were not subject to the *Orders.* The CIT sustained the Final Redetermination on May 22, 2015.[9]

Timken Notice

In its decision in *Timken,* as clarified by *Diamond Sawblades,* the CAFC has held that, pursuant to section 516A(c) of the Tariff Act of 1930, as amended (the Act), the Department must publish a notice of court decision that is not ''in harmony'' with a Department determination and must suspend liquidation of entries pending a ''conclusive'' court decision. The CIT's May 22, 2015, judgment in this case constitutes a final decision of that court that is not in harmony with the Department's Final Scope Ruling. This notice is published in fulfillment of the publication requirements of *Timken.* Accordingly, the Department will continue suspension of liquidation of Bastion® MACBs imported by Fedmet pending expiration of the period of appeal or, if appealed, pending a final and conclusive court decision.

Amended Final Scope Ruling

Because there is now a final court decision with respect to this case, the Department is amending the Final Scope Ruling and finds Fedmet's

[1] *See Certain Magnesia Carbon Bricks from Mexico and the People's Republic of China: Antidumping Duty Orders,* 75 FR 57257 (September 20, 2010) *and Certain Magnesia Carbon Bricks from the People's Republic of China: Countervailing Duty Order,* 75 FR 57442 (September 21, 2010) (*Orders*).

[2] *See* Final Results of Redetermination Pursuant to Court Remand Magnesia Carbon Bricks from the People's Republic of China and Mexico, *Fedmet Resources Corporation* v. *United States,* Court No. 12–00215 (March 24, 2015) (Final Redetermination).

[3] *See Timken Co.* v. *United States,* 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

[4] *See Diamond Sawblades Mfrs. Coalition* v. *United States,* 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

[5] *See* ''Memorandum from Barbara E. Tillman, ''Certain Magnesia Carbon Bricks From the People's Republic of China and Mexico: Final Scope Ruling-Fedmet Resources Corporation'' dated July 2, 2012 (Final Scope Ruling) at 2.

[6] *See Fedmet Res. Corp.* v. *United States,* 911 F. Supp. 2d 1348 (Ct. Int'l Trade 2013).

[7] *See Fedmet Res. Corp.* v. *United States,* 755 F.3d 912, 923 (CAFC 2014).

[8] *Id.* at 917.

[9] *See Fedmet Res. Corp.* v. *United States,* Court No. 12–00215 (CIT May 22, 2015) (judgment sustaining Final Redetermination).

Bastion® MACBs to be outside the scope of the *Orders.* The Department will instruct U.S. Customs and Border Protection (CBP) that the cash deposit rate will be zero percent for Fedmet's Bastion® MACBs. In the event that the CIT's ruling is not appealed, or if appealed, upheld by the CAFC, the Department will instruct CBP to liquidate entries of Fedmet's Bastion® MACBs without regard to antidumping and/or countervailing duties, and to lift suspension of liquidation of such entries.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(e)(1) and 777(i)(1) of the Act.

Dated: June 11, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2015–15009 Filed 6–17–15; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Submission for OMB Review; Comment Request

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

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Certification Requirements for Distributors of NOAA Electronic Navigational Charts.

OMB Control Number: 0648–0508.

Form Number(s): None.

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

Number of Respondents: 8.

Average Hours per Response: Distribution report, 1 hour; error reporting, 1.5 hours.

Burden Hours: 328.

Needs and Uses: This request is for extension of a currently approved information collection.

NOS Office of Coast Survey manages the Certification Requirements for Distributors of NOAA Electronic Navigational Charts (NOAA ENCs®). The certification allows entities to download, redistribute, repackage, or in some cases reformat, official NOAA ENCs and retain the NOAA ENC's official status. The regulations for implementing the Certification are at 15 CFR part 995. The recordkeeping and reporting requirements of 15 CFR part 995 form the basis for this collection of information. This information allows the Office of Coast Survey to administer the regulation, and to better understand the marketplace resulting in products to that meet the needs of the customer in a timely and efficient manner.

Affected Public: Business or other for-profit organizations; not-for-profit institutions.

Frequency: Semiannually and on occasion.

Respondent's Obligation: Mandatory.

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

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

Dated: June 15, 2015.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2015–14981 Filed 6–17–15; 8:45 am]

BILLING CODE 3520–JE–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Prize Purchases

AGENCY: Office of Oceanic and Atmospheric Research (OAR), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of prize purchase.

SUMMARY: This notice sets forth the intention of the Communication and Education (CommEd) Division of CPO to purchase and distribute prizes (1 t-shirt and 1 mug per month) to the monthly winners of the *Climate Challenge*—the social media game with a purpose.

SUPPLEMENTARY INFORMATION: This Social Media Game with a purpose was developed for several reasons:

1. To help improve public climate literacy (which is a Climate.gov requirement).

2. To engage Climate.gov's publics in a fun & challenging way, while also growing our readership (another req).

3. To test the hypothesis that there is ''wisdom in the crowd'' by comparing the crowd's averaged best guesses to experts' best guesses as well as real-world observations.

4. If we find evidence that there is indeed wisdom in the crowd, then that begs consideration of a next step: development of approaches for leveraging and focusing the crowd's wisdom in decision-making contexts for societal benefit.

Climate Challenge allows players to guess future climate-related conditions, such as the annual Arctic Sea Ice minimum coverage or a monthly average global surface temperature. The game also allows players to compare their answers to the experts' and, when available, see how both predictions compare to real-world measurements. There will be one climate-related question per month, and whoever comes closest to guessing the actual values will be that month's winner. For an added twist, participants can also compete against their friends, colleagues, or family members.

Climate Challenge also helps to build climate science literacy by encouraging players to explore online links to materials related to the topics addressed by each game question. Players who want to increase their chances of winning are encouraged to visit the links to gather information that may help them improve the accuracy of their guesses. NOAA's Climate.gov team will publish the real-world measurements once they become available, as well as short summaries of the methods that the experts used to make their guesses.

Matters To Be Considered:

Prizes will be distributed monthly. The prizes that will be given to each winner (one per month) are a black T-Shirt with the Climate Challenge Logo on the front and a mug consisting of the same logo as the t-shirt.

FOR FURTHER INFORMATION CONTACT: David Herring, Division Chief, Communication and Education Division, CPO, NOAA, Rm. 12104, 1315 East-West Highway, Silver Spring, Maryland 20910. (Phone: 301–734–1207, Fax: 301–713–0517, Email: *David.Herring@noaa.gov*). Please feel free to visit the Climate Challenge Web site using the following link: *www.ecoresearch.net/climate-challenge.*

Dated: June 3, 2015.

Jason Donaldson,

Chief Financial Officer and Chief Administrative Officer, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.

[FR Doc. 2015–14730 Filed 6–17–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. PTO–C–2015–0035]

Patent and Trademark Public Advisory Committees

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Notice and request for nominations for the Patent and Trademark Public Advisory Committees.

SUMMARY: On November 29, 1999, the President signed into law the Patent and Trademark Office Efficiency Act (the ''Act''), Public Law 106–113, which, among other things, established two Public Advisory Committees to review the policies, goals, performance, budget and user fees of the United States Patent and Trademark Office (USPTO) with respect to patents, in the case of the Patent Public Advisory Committee, and with respect to trademarks, in the case of the Trademark Public Advisory Committee, and to advise the Director on these matters (now codified at 35 U.S.C. 5). The America Invents Act Technical Corrections Act made several amendments to the 1999 Act, including the requirement that the terms of the USPTO Public Advisory Committee members be realigned by 2014, so that December 1 be used as the start and end date, with terms staggered so that each year three existing terms expire and three new terms begin on December 1. Through this Notice, the USPTO is requesting nominations for up to three (3) members of the Patent Public Advisory Committee, and for up to three (3) members of the Trademark Public Advisory Committee, for terms of three years that begin on December 1, 2015.

DATES: Nominations must be postmarked or electronically transmitted on or before July 25, 2015.

ADDRESSES: Persons wishing to submit nominations should send the nominee's resumé by postal mail to Andrew C. Byrnes, Chief of Staff, Office of the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, Post Office Box 1450, Alexandria, Virginia, 22313–1450 or by electronic mail to: *PPACnominations@uspto.gov* for the Patent Public Advisory Committee, or *TPACnominations@uspto.gov* for the Trademark Public Advisory Committee.

FOR FURTHER INFORMATION CONTACT: Andrew C. Byrnes, Chief of Staff, Office of the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, at (571) 272–8600.

SUPPLEMENTARY INFORMATION: The Advisory Committees' duties include:

- Review and advise the Under Secretary of Commerce for Intellectual Property and Director of the USPTO on matters relating to policies, goals, performance, budget, and user fees of the USPTO relating to patents and trademarks, respectively; and
- Within 60 days after the end of each fiscal year: (1) Prepare an annual report on matters listed above; (2) transmit the report to the Secretary of Commerce, the President, and the Committees on the Judiciary of the Senate and the House of Representatives; and (3) publish the report in the Official Gazette of the USPTO.

Advisory Committees

The Public Advisory Committees are each composed of nine (9) voting members who are appointed by the Secretary of Commerce (the ''Secretary'') and serve at the pleasure of the Secretary for three-year terms. Members are eligible for reappointment for a second consecutive three-year term. The Public Advisory Committee members must be citizens of the United States and are chosen to represent the interests of diverse users of the United States Patent and Trademark Office with respect to patents, in the case of the Patent Public Advisory Committee, and with respect to trademarks, in the case of the Trademark Public Advisory Committee. Members must represent small and large entity applicants located in the United States in proportion to the number of applications filed by such applicants. The Committees must include individuals with ''substantial background and achievement in finance, management, labor relations, science, technology, and office automation.'' 35 U.S.C. 5(b)(3). Each of the Public Advisory Committees also includes three (3) non-voting members representing each labor organization recognized by the USPTO. Administration policy discourages the appointment of federally registered lobbyists to agency advisory boards and commissions (Lobbyists on Agency Boards and Commissions, *http://www.whitehouse.gov/blog/2009/09/23/lobbyist-agency-boards-and-commissions* (Sept. 23, 2009)); cf. Exec. Order No. 13490, 74 FR 4673 (January 21, 2009) (While Executive Order 13490 does not specifically apply to federally registered lobbyists appointed by agency or department heads, it sets forth the Administration's general policy of decreasing the influence of special interests in the Federal Government).

Procedures and Guidelines of the Patent and Trademark Public Advisory Committees

Each newly appointed member of the Patent and Trademark Public Advisory Committees will serve for a three-year term that begins on December 1, 2015, and ends on December 1, 2018. As required by the 1999 Act, members of the Patent and Trademark Public Advisory Committees will receive compensation for each day (including travel time) while the member is attending meetings or engaged in the business of that Advisory Committee. The enabling statute states that members are to be compensated at the daily equivalent of the annual rate of basic pay in effect for level III of the Executive Schedule under section 5314 of Title 5, United States Code. Committee members are compensated on an hourly basis, calculated at the daily rate. While away from home or regular place of business, each member shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by Section 5703 of Title 5, United States Code.

Applicability of Certain Ethics Laws

Public Advisory Committee Members are Special Government Employees within the meaning of Section 202 of Title 18, United States Code. The following additional information includes several, but not all, of the ethics rules that apply to members, and assumes that members are not engaged in Public Advisory Committee business more than 60 days during any period of 365 consecutive days.

- Each member will be required to file a confidential financial disclosure form within thirty (30) days of appointment. 5 CFR 2634.202(c), 2634.204, 2634.903, and 2634.904(b).
- Each member will be subject to many of the public integrity laws, including criminal bars against representing a party in a particular matter that came before the member's committee and that involved at least one specific party. 18 U.S.C. 205(c); *see also* 18 U.S.C. 207 for post-membership bars. A member also must not act on a matter in which the member (or any of certain closely related entities) has a financial interest. 18 U.S.C. 208.
- Representation of foreign interests may also raise issues. 35 U.S.C. 5(a)(1) and 18 U.S.C. 219.

Meetings of the Patent and Trademark Public Advisory Committees

Meetings of each Advisory Committee will take place at the call of the respective Committee Chair to consider

an agenda set by that Chair. Meetings may be conducted in person, telephonically, on-line through the Internet, or by other appropriate means. The meetings of each Advisory Committee will be open to the public except each Advisory Committee may, by majority vote, meet in executive session when considering personnel, privileged, or other confidential information. Nominees must have the ability to participate in Committee business through the Internet.

Dated: June 10, 2015.

Michelle K. Lee,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2015–15071 Filed 6–17–15; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF EDUCATION

Announcement of an Open Public Meeting

AGENCY: National Advisory Council on Indian Education (NACIE or Council), U.S. Department of Education.

ACTION: Announcement of an open public meeting.

SUMMARY: This notice sets forth the schedule of an upcoming public meeting conducted by the National Advisory Council on Indian Education (NACIE). Notice of the meeting is required by section 10(a)(2) of the Federal Advisory Committee Act and intended to notify the public of its opportunity to attend.

DATES: The NACIE meeting will be held via conference call on July 1, 2015—4:00 p.m.–5:00 p.m. Eastern Daylight Saving Time. Up to 20 dial-in, listen only phone lines will be made available to the public on a first come, first served basis. The conference call number is 1–888–677–5810 and the participant code is 3132285.

FOR FURTHER INFORMATION CONTACT: Tina Hunter, Designated Federal Official, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Avenue SW., Washington, DC 20202. Telephone: 202–205–8527. Fax: 202–205–0310.

SUPPLEMENTARY INFORMATION: NACIE's Statutory Authority and Function: The National Advisory Council on Indian Education is authorized by § 7141 of the Elementary and Secondary Education Act. The Council is established within the Department of Education to advise the Secretary of Education on the funding and administration (including the development of regulations, and administrative policies and practices) of any program over which the Secretary has jurisdiction and includes Indian children or adults as participants or programs that may benefit Indian children or adults, including any program established under Title VII, Part A of the Elementary and Secondary Education Act. The Council submits to the Congress a report on the activities of the Council that includes recommendations the Council considers appropriate for the improvement of Federal education programs that include Indian children or adults as participants or that may benefit Indian children or adults, and recommendations concerning the funding of any such program.

One of the Council's responsibilities is to develop and provide recommendations to the Secretary of Education on the funding and administration (including the development of regulations, and administrative policies and practices) of any program over which the Secretary has jurisdiction that can benefit Indian children or adults participating in any program which could benefit Indian children.

Meeting Agenda: The purpose of the meeting is to convene the Council to conduct the following business: (1) Final discussion, review and approval of the annual report to Congress; (2) Discuss schedule to submit recommendations to the Secretary of Education on funding and administration of programs; and, (3) decide on possible dates for the next open public meeting(s) for the NACIE.

Access to Records of the Meeting: The Department will post the official report of the meeting on the OESE Web site at: *http://www2.ed.gov/about/offices/list/oese/index.html?src=oc* 21 days after the meeting. Pursuant to the FACA, the public may also inspect the materials at the Office of Indian Education, United States Department of Education, 400 Maryland Avenue SW., Washington, DC 20202, Monday–Friday, 8:30 a.m. to 5:00 p.m. Eastern Daylight Saving Time or by emailing *TribalConsultation@ed.gov* or by calling Terrie Nelson on (202) 401–0424 to schedule an appointment.

Reasonable Accommodations: The hearing site is accessible to individuals with disabilities. If you will need an auxiliary aid or service to participate in the meeting (*e.g.,* interpreting service, assistive listening device, or materials in an alternate format), notify Brandon Dent on (202) 453–6450 no later than June 26, 2015. Although we will attempt to meet a request received after request due date, we may not be able to make available the requested auxiliary aid or service because of insufficient time to make arrangements.

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

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

Authority: The National Advisory Council on Indian Education is authorized by Section 7141 of the Elementary and Secondary Education Act.

Heather Rieman,

Acting Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 2015–14947 Filed 6–17–15; 8:45 am]

BILLING CODE P

DEPARTMENT OF ENERGY

[Docket No. EERE–2013–BT–NOC–0005]

Solicitation of Nominations for Membership on the Appliance Standards and Rulemaking Federal Advisory Committee

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Solicitation of nominations for membership.

SUMMARY: To ensure a wide range of candidates and a balanced committee, the U.S. Department of Energy (DOE) announces the solicitation of nominations to fill upcoming vacancies on the Appliance Standards and Rulemaking Federal Advisory Committee.

DATES: All nomination information should be provided in a single, complete package submitted electronically or postmarked by July 17, 2015.

ADDRESSES: Nominations packages should be submitted either electronically or by mail, but not by

both methods to *ASRAC@ee.doe.gov*. Complete nomination packages identified by docket number EERE–2013–BT–NOC–0005 may be submitted by any of the following methods:

1. *Federal eRulemaking Portal: www.regulations.gov*. Follow the instructions for submitting comments.

2. *Email: ASRAC@ee.doe.gov*. Include docket number EERE–2013–BT–NOC–0005 in the subject line of the message.

3. *Mail:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Office, Mailstop EE–2J, 1000 Independence Avenue SW., Washington, DC 20585–0121. If possible, please submit all items on a compact disc (CD), in which case it is not necessary to include printed copies.

4. *Hand Delivery/Courier:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Office, 950 L'Enfant Plaza SW., Suite 600, Washington, DC 20024. Telephone: (202) 586–2945. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies. No telefacsimilies (faxes) will be accepted.

It is recommended that nominations be submitted in electronic format via email to *asrac@ee.doe.gov*. Submissions submitted by mail are welcome, but may be delayed in delivery due to the DOE mail vetting procedures in place. For submission by mail, please send to Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Office, Mailstop EE–5B, 1000 Independence Avenue SW., Washington, DC 20585–0121. If possible, please submit all items on a compact disc (CD), in which case it is not necessary to include printed copies.

SUPPLEMENTARY INFORMATION: The Committee will provide advice and recommendations to the Secretary of Energy on the DOE's Appliance and Equipment Standards Program's test procedures and rulemaking determinations. The Committee's scope is to review and make recommendations on the: (l) Development of minimum efficiency standards for residential appliances and commercial equipment, (2) development of product test procedures, (3) certification and enforcement of standards, (4) labeling for various residential products and commercial equipment, and (5) specific issues of concern to DOE as requested by the Secretary of Energy, the Assistant Secretary for Energy Efficiency and Renewable Energy, and the Buildings Technologies Office's Director.

To facilitate the functioning of the Committee, working group (*i.e.,* subcommittees) may be formed with the approval of the Department of Energy. The objectives of the working groups are to make recommendations to the parent committee with respect to particular matters related to the responsibilities of the parent committee. Such working groups may not work independently of the chartered committee and must report their recommendations and advice to the full committee for full deliberation and discussion. Subcommittee members are appointed with DOE approval.

DOE is hereby soliciting nominations for members of the Appliance Standards and Rulemaking Federal Advisory Committee. The Committee is expected to be continuing in nature. Members will be selected with a view toward achieving a balanced committee of experts in fields relevant to energy efficiency, appliance and commercial equipment standards to include DOE, as well as representatives of industry (including manufacturers and trade associations representing manufacturers, component manufacturers and related suppliers, and retailers), utilities, energy efficiency/environmental advocacy groups and consumers. Committee members will serve for a term of three years or less and may be reappointed for successive terms, with no more than two successive terms. Appointments may be made in a manner that allows the terms of the members serving at any time to expire at spaced intervals, so as to ensure continuity in the functioning of the Committee. Some Committee members may be appointed as special Government employees, experts in fields relevant to energy efficiency and appliance and commercial equipment standards; or as representatives of industry (including manufacturers and trade associations representing manufacturers, component manufacturers and related suppliers, and retailers), utilities, energy efficiency/environmental advocacy groups and consumers. Special Government employees will be subject to certain ethical restrictions and such members will be required to submit certain information in connection with the appointment process.

Members of the Committee will serve without compensation; however, each member may be reimbursed in accordance with Federal Travel Regulations for authorized travel and per diem expenses incurred while attending Committee meetings.

Process and Deadline for Submitting Nominations: Qualified individuals can self-nominate or be nominated by any individual or organization. Nominators should submit:

1. The nominee's current resume or curriculum vitae and contact information, including mailing address, email address, and telephone number;

2. A letter of interest, including a summary of how the nominee's experience and expertise would support the Committee's objectives;

3. An affirmative statement that: (a) The nominee is not currently a federally- registered lobbyist and will not be a federally-registered lobbyist at the time of appointment and during his/her tenure as a Committee member, or (b) if the nominee is currently a federally- registered lobbyist, that the nominee will no longer be a federally-registered lobbyist at the time of appointment to the Committee and during his/her tenure as a member.

All nomination information should be provided in a single, complete package by the deadline specified in this notice. Nominations packages should be submitted by either mail or electronically, but not by both methods. Should more information be needed, DOE staff will contact the nominee, obtain information from the nominee's past affiliations or obtain information from publicly available sources, such as the internet. A selection team will review the nomination packages. This team will be comprised of representatives from several DOE Offices. The selection team will seek balanced viewpoints and consider many criteria, including: (a) Scientific or technical expertise, knowledge, and experience; (b) stakeholder representation; (c) availability and willingness to serve; and (d) skills working in committees, working groups and advisory panels. The selection team will make recommendations regarding membership to the Secretary of Energy for review and selection of Committee members.

Nominations are open to all individuals without regard to race, color, religion, sex, national origin, age, mental or physical handicap, marital status, or sexual orientation. To ensure that recommendations to the Committee take into account the needs of the diverse groups served by DOE, membership shall include, to the extent practicable, individuals with demonstrated ability to represent the needs of women and men of all racial and ethnic groups, and persons with disabilities. Please note, however, that Federally-registered lobbyists and individuals already serving on another Federal advisory committee are ineligible for nomination.

FOR FURTHER INFORMATION CONTACT: John Cymbalsky by telephone at 202–287–1692 or by email at *asrac@ee.doe.gov*.

Issued in Washington, DC, on June 8, 2015.

Kathleen B. Hogan,

Deputy Assistant Secretary for Energy Efficiency, Energy Efficiency and Renewable Energy.

[FR Doc. 2015–15004 Filed 6–17–15; 8:45 am]

BILLING CODE 6450–01–P

EXPORT-IMPORT BANK

[Public Notice: 2015–6005]

Agency Information Collection Activities: Comment Request

AGENCY: Export-Import Bank of the United States.

ACTION: Submission for OMB review and comments request.

Form Title: EIB 92–41 Application for Financial Institution Short-Term, Single-Buyer Insurance.

SUMMARY: The Export-Import Banks of the United States (Ex-Im Bank), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

This collection of information is necessary, pursuant to 12 U.S.C. Sec. 635(a)(1), to determine eligibility of the underlying export transaction for Ex-Im Bank insurance coverage.

The Export-Import Bank has made a change to the report to have the insured financial institution provide specific information (industry code, number of employees and annual sales volume) needed to make a determination as to whether or not the exporter meets the SBA's definition of a small business. The insured financial institution already provides a short description of the goods and/or services being exported and the name and address of the exporter. These additional pieces of information will allow Ex-Im Bank to better track the extent to which its support assists U.S. small businesses.

The other change that Ex-Im Bank has made is to require the insured financial institution to indicate whether the exporter is a minority-owned business, women-owned business and/or veteran-owned business. Although answers to the questions are mandatory, the company may choose any one of the three answers: Yes/No/Decline to Answer. The option of ''Decline to Answer'' allows a company to consciously decline to answer the specific question should they not wish to answer.

The information collection tool can be reviewed at: *http://www.exim.gov/pub/pending/EIB92-41.pdf*.

DATES: Comments must be received on or before August 17, 2015 to be assured of consideration.

ADDRESSES: Comments may be submitted electronically on *WWW.REGULATIONS.GOV* or by mail to Michele Kuester, Export-Import Bank of the United States, 811 Vermont Ave. NW., Washington, DC 20571.

SUPPLEMENTARY INFORMATION:

Title and Form Number: EIB 92–41 Application for Financial Institution Short-Term, Single-Buyer Insurance.

OMB Number: 3048–0019.

Type of Review: Regular.

Need and Use: The ''Application for Financial Institution Short-term Single-Buyer Insurance'' form will be used by financial institution applicants to provide Ex-Im Bank with the information necessary to determine if the subject transaction is eligible for Ex-Im Bank insurance coverage.

Affected Public

This form affects entities involved in the export of U.S. goods and services.

Annual Number of Respondents: 215.

Estimated Time per Respondent: 1.6 hours.

Annual Burden Hours: 344.

Frequency of Reporting of Use: Annual.

Government Expenses

Reviewing time per year: 1,290 hours.

Average Wages per Hour: $42.50.

*Average Cost per Year (time*wages):* $54,825.

Benefits and Overhead: 20%.

Total Government Cost: $70,176.

Bonita Jones-McNeil,

Agency Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2015–14951 Filed 6–17–15; 8:45 am]

BILLING CODE 6690–01–P

EXPORT-IMPORT BANK

[Public Notice: 2015–6006]

Agency Information Collection Activities: Comment Request

AGENCY: Export-Import Bank of the United States.

ACTION: Submission for OMB review and comments request.

Form Title: EIB 92–30 Report of Premiums Payable for Financial Institutions Only.

SUMMARY: The Export-Import Bank of the United States (Ex-Im Bank), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

This collection of information is necessary, pursuant to 12 U.S.C. 635(a)(1), to determine eligibility of the export sales for insurance coverage. The Report of Premiums Payable for Financial Institutions Only is used to determine the eligibility of the shipment(s) and to calculate the premium due to Ex-Im Bank for its support of the shipment(s) under its insurance program. Export-Import Bank customers will be able to submit this form on paper or electronically.

The Export-Import Bank has made a change to the report to have the insured financial institution provide the industry code (NAICS) associated with each specific export as well as specific information needed to make a determination as to whether or not the exporter meets the SBA's definition of a small business. The insured financial institution already provides a short description of the goods and/or services being exported and the name and address of the exporter. These additional pieces of information will allow Ex-Im Bank to better track what exports it is covering with its insurance policy and the extent to which its support assists U.S. small businesses.

The other change that Ex-Im Bank has made is to require the insured financial institution to indicate whether the exporter is a minority-owned business, women-owned business and/or veteran-owned business. Although answers to the question are mandatory, the company may choose any one of the three answers: Yes/No/Decline to Answer. The option of ''Decline to Answer'' allows a company to consciously decline to answer the specific question should they not wish to answer.

The information collection tool can be reviewed at: *http://www.exim.gov/pub/pending/eib92-30.pdf*

DATES: Comments must be received on or before August 17, 2015 to be assured of consideration.

ADDRESSES: Comments may be submitted electronically on *WWW.REGULATIONS.GOV* or by mail to Michele Kuester, Export-Import Bank of the United States, 811 Vermont Ave. NW., Washington, DC 20571.

SUPPLEMENTARY INFORMATION:

Title and Form Number: EIB 92–30 Report of Premiums Payable for Financial Institutions Only.

OMB Number: 3048–0021.

Type of Review: Regular.

Need and Use: This collection of information is necessary, pursuant to 12 U.S.C. 635(a)(1), to determine eligibility of the applicant for Ex-Im Bank assistance. The information collected enables Ex-Im Bank to determine the eligibility of the shipment(s) for insurance and to calculate the premium due to Ex-Im Bank for its support of the shipment(s) under its insurance program.

Affected Public:

This form affects entities involved in the export of U.S. goods and services.

Annual Number of Respondents: 215.

Estimated Time per Respondent: 30 minutes.

Annual Burden Hours: 1290 hours.

Frequency of Reporting of Use: Monthly.

Government Expenses:

Reviewing time per year: 860 hours.

Average Wages per Hour: $42.50.

Average Cost per Year: $36,550 (time *wages).

Benefits and Overhead: 20%.

Total Government Cost: $43,860.

Bonita Jones-McNeil,

Agency Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2015–14954 Filed 6–17–15; 8:45 am]

BILLING CODE 6690–01–P

EXPORT-IMPORT BANK

[Public Notice 2015–6010]

Agency Information Collection Activities: Comment Request

AGENCY: Export-Import Bank of the United States.

ACTION: Submission for OMB review and comments request.

Form Title: EIB 92–64 Application for Exporter Short Term Single Buyer Insurance.

SUMMARY: The Export-Import Bank of the United States (Ex-Im Bank), as a part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

The ''Application for Exporter Short Term Single Buyer Insurance'' form will be used by entities involved in the export of U.S. goods and services, to provide Ex-Im Bank with the information necessary to obtain legislatively required assurance of repayment and fulfills other statutory requirements. Export-Import Bank customers will be able to submit this form on paper or electronically.

The Export-Import Bank has made a change to the report to have the applicant provide the number of employees or annual sales volume. That information is needed to determine whether or not they meet the SBA's definition of a small business. The applicant already provides their name, address and industry code (NAICS). These additional pieces of information will allow Ex-Im Bank to better track the extent to which its support assists U.S. small businesses.

The other change that Ex-Im Bank has made is to require the applicant to indicate whether it is a minority-owned business, women-owned business and/or veteran-owned business. Although answers to the questions are mandatory, the company may choose any one of the three answers: Yes/No/Decline to Answer. The option of ''Decline to Answer'' allows a company to consciously decline to answer the specific question should they not wish to provide that information.

The application can be reviewed at: *www.exim.gov/pub/pending/EIB92-64.pdf.*

DATES: Comments must be received on or before August 17, 2015 to be assured of consideration.

ADDRESSES: Comments may be submitted electronically on *WWW.REGULATIONS.GOV* or by mail to Michele Kuester, Export-Import Bank of the United States, 811 Vermont Ave. NW., Washington, DC 20571.

SUPPLEMENTARY INFORMATION:

Title and Form Number: EIB 92–64 Application for Exporter Short Term Single Buyer Insurance.

OMB Number: 3048–0018.

Type of Review: Regular.

Need and Use: The information requested enables the applicant to provide Ex-Im Bank with the information necessary to obtain legislatively required assurance of repayment and fulfills other statutory requirements.

Affected Public:

This form affects entities involved in the export of U.S. goods and services.

Annual Number of Respondents: 310.

Estimated Time per Respondent: 1.5 hours.

Annual Burden Hours: 465 hours.

Frequency of Reporting of Use: As needed.

Government Costs:

Reviewing time per year: 465 hours.

Average Wages per Hour: $42.50.

Average Cost per Year: $19,762.5 (time*wages).

Benefits and Overhead: 20%.

Total Government Cost: $23,715.

Bonita Jones-McNeil,

Agency Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2015–14932 Filed 6–17–15; 8:45 am]

BILLING CODE 6690–01–P

EXPORT-IMPORT BANK

[Public Notice 2015–6007]

Agency Information Collection Activities: Comment Request

AGENCY: Export-Import Bank of the United States.

ACTION: Submission for OMB review and comments request.

Form Title: EIB 92–36 Application for Issuing Bank Credit Limit (IBCL) Under Lender or Exporter-Held Policies.

SUMMARY: The Export-Import Banks of the United States (Ex-Im Bank), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

This collection of information is necessary, pursuant to 12 U.S.C. 635(a)(1), to determine eligibility of the applicant for Ex-Im Bank assistance.

The Export-Import Bank has made a change to the report to have the financial institution provide specific information (industry code, number of employees and annual sales volume) needed to make a determination as to whether or not the exporter meets the SBA's definition of a small business. The financial institution already provides the exporter's name and address. These additional pieces of information will allow Ex-Im Bank to better track the extent to which its support assists U.S. small businesses.

The other change that Ex-Im Bank has made is to require the financial institution to indicate whether the exporter is a minority-owned business, women-owned business and/or veteran-owned business. Although answers to the questions are mandatory, the company may choose any one of the three answers: Yes/No/Decline to Answer. The option of ''Decline to Answer'' allows a company to consciously decline to answer the specific question should they not wish to provide that information.

The application tool can be reviewed at: *http://www.exim.gov/pub/pending/eib92-36.pdf.*

DATES: Comments must be received on or before August 17, 2015 to be assured of consideration.

ADDRESSES: Comments may be submitted electronically on *WWW.REGULATIONS.GOV* or by mail to Michele Kuester, Export-Import Bank of the United States, 811 Vermont Ave. NW., Washington, DC 20571.

SUPPLEMENTARY INFORMATION:

Title and Form Number: EIB 92–36 Application for Issuing Bank Credit Limit (IBCL) Under Lender or Exporter-Held Policies.

OMB Number: 3048–0016.

Type of Review: Regular.

Need and Use: This form is used by an insured exporter or lender (or broker acting on its behalf) in order to obtain approval for coverage of the repayment risk of an overseas bank. The information received allows Ex-Im Bank staff to make a determination of the creditworthiness of the foreign bank and the underlying export sale for Ex-Im Bank assistance under its programs.

This form has been updated to include a new Certification and Notices section as well as a new statement explaining Ex-Im Bank's limitation on support for goods subject to trade measures or sanctions.

Affected Public: This form affects entities involved in the export of U.S. goods and services.

Annual Number of Respondents: 480.

Estimated Time per Respondent: 1.2 hours.

Annual Burden Hours: 576 hours.

Frequency of Reporting of Use: As needed.

Government Expenses:

Reviewing time per year: 480 hours.

Average Wages per Hour: $42.50.

Average Cost per Year: $20,400 (time*wages).

Benefits and Overhead: 20%.

Total Government Cost: $24,480.

Bonita Jones-McNeil,

Agency Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2015–14952 Filed 6–17–15; 8:45 am]

BILLING CODE 6690–01–P

FEDERAL COMMUNICATIONS COMMISSION

[DA 15–630]

Notice of Suspension and Commencement of Proposed Debarment Proceedings; Federal Lifeline Universal Service Support Mechanism

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Enforcement Bureau (Bureau) gives notice of Wes Yui Chew's suspension from the federal Lifeline universal service support mechanism (Lifeline program) and the commencement of debarment proceedings against him. Suspension immediately excludes Mr. Chew from activities associated with or related to the Lifeline program pending completion of the debarment process. Mr. Chew, or any person who has an existing contract with or intends to contract with him to provide or receive services in matters arising out of activities associated with or related to the Lifeline program, may contest this suspension or its scope by filing an opposition and any relevant documentation.

DATES: Any opposition must be received within 30 days from the receipt of the suspension letter or June 18, 2015, whichever comes first. The Bureau will decide any opposition within 90 days of its receipt.

ADDRESSES: Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4–A422, 445 12th Street SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Celia Lewis, Paralegal Specialist, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4–A422, 445 12th Street SW., Washington, DC 20554. Celia Lewis may be contacted by phone at (202) 418–7456 or email at *Celia.Lewis@fcc.gov*. If Ms. Lewis is unavailable, you may contact Mr. Kalun Lee, Deputy Chief, Investigations and Hearings Division, by telephone at (202) 418–0796 and by email at *Kalun.Lee@fcc.gov*.

SUPPLEMENTARY INFORMATION: The Bureau has suspension and debarment authority pursuant to 47 CFR 54.8 and 0.111(a)(14). Mr. Chew's conviction for money laundering in violation of 18 U.S.C. 1957(a), in connection with fraudulent claims against the Lifeline program, requires the Bureau to suspend him from participating in activities associated with the Lifeline program. Attached is the notice of suspension and initiation of debarment proceeding (Notice of Suspension), DA 15–630, which was mailed to Mr. Chew and released on May 26, 2015. The complete text of the Notice of Suspension is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portal II, 445 12th Street SW., Room CY–A257, Washington, DC 20554. In addition, the complete text is available on the FCC's Web site at *http://www.fcc.gov*.

Jeffrey J. Gee,

Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission.

May 26, 2015

DA 15–630

SENT VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Wes Yui Chew, c/o Daniel G. Webber, Jr., Ryan Whaley Coldiron Shandy PLLC, 119 N. Robinson Avenue, Suite 900, Oklahoma City, OK 73102.

Re: Notice of suspension and initiation of debarment proceeding, File No. EB–IHD–15–00019046.

Dear Mr. Chew:

The Federal Communications Commission (Commission) has received notice of your conviction for money laundering in violation of 18 U.S.C. 1957(a), in connection with fraudulent claims against the federal Lifeline telephone program (Lifeline program).[1] Pursuant to its rules, the Enforcement Bureau (Bureau) hereby suspends you from participating in activities associated with the Lifeline program.[2] The Bureau is also commencing a proceeding to debar you from future participation in the Lifeline program.[3]

I. Notice of Suspension

Any person who has ''defrauded the government or engaged in similar acts through activities associated with or related to the [Lifeline program]'' may be prohibited from receiving the benefits associated with that program.[4]

[1] Any further reference in this letter to ''your conviction'' refers to your guilty plea and subsequent sentencing in *United States* v. *Chew,* Criminal Docket No. 5:14–cr–00170–D, Plea Agreement (W.D. Okla. filed June 12, 2014) (*Plea Agreement*). *See also Lifeline & Link Up Reform & Modernization,* WC Docket No. 11–42, CC Docket No. 96–45, WC Docket No. 03–109, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656 (2012) (*Lifeline Reform Order*).

[2] 47 CFR 54.8.

[3] *Id.;* 47 CFR 0.111 (delegating to the Bureau authority to resolve universal service suspension and debarment proceedings). In 2007, the Commission extended the debarment rules to apply to all federal universal service support mechanisms, including Lifeline. *See Comprehensive Review of the Universal Service Fund Management, Administration, & Oversight,* Report and Order, 22 FCC Rcd 16372, 16410–12 (2007) (*Program Management Order*) (renumbering Section 54.521 of the universal service debarment rules as Section 54.8 and amending subsections (a)(1), (a)(5), (c), (d), (e)(2)(i), (e)(3), (e)(4), and (g)).

[4] *Program Management Order,* 22 FCC Rcd at 16387, para. 32. The Commission's debarment rules define a ''person'' as ''[a]ny individual, group of individuals, corporation, partnership, association, unit of government or legal entity, however organized.'' 47 CFR 54.8(a)(6).

The Lifeline program is a government program that provides support to eligible telecommunications carriers (ETCs) that in turn offer discounts on telephone service for eligible low-income consumers.[5] An ETC may receive reimbursement in connection with the Lifeline program only if it certifies as part of its reimbursement request that it is in compliance with the Lifeline rules.[6]

Icon Telecom, Inc. (Icon) participated in the Lifeline program from July 2011 until September 2013.[7] During that time period, you were the sole owner and president of Icon.[8] On June 12, 2014, you pled guilty to one count of money laundering for transferring $20,455,829.10 from an Icon bank account to a personal bank account, despite knowing that Icon had thousands fewer customers than it had reported to the Commission.[9]

Pursuant to Section 54.8(b) of the Commission's rules,[10] your conviction requires the Bureau to suspend you from participating in any activities associated with or related to the Lifeline program, including receiving funds or discounted services through the Lifeline program, or consulting with, assisting, or advising applicants or service providers regarding the Lifeline program.[11] Your suspension becomes effective upon either your receipt of this letter or its publication in the Federal Register, whichever comes first.[12]

In accordance with the Commission's suspension and debarment rules, you may contest this suspension or its scope by filing arguments, with any relevant documents, within thirty (30) calendar days of your receipt of this letter or its publication in the Federal Register, whichever comes first.[13] Such requests, however, will not ordinarily be granted.[14] The Bureau may reverse or limit the scope of a suspension only upon a finding of extraordinary circumstances.[15] The Bureau will decide any request to reverse or modify a suspension within ninety (90) calendar days of its receipt of such request.[16]

II. Initiation of Debarment Proceedings

In addition to your immediate suspension from the Lifeline program, your conviction is cause for debarment as defined in Section 54.8(c) of the Commission's rules.[17] Therefore, pursuant to Section 54.8(b) of the Commission's rules, your conviction requires the Bureau to commence debarment proceedings against you.[18]

As with the suspension process, you may contest the proposed debarment or its scope by filing arguments and any relevant documentation within thirty (30) calendar days of receipt of this letter or its publication in the Federal Register, whichever comes first.[19] The Bureau, in the absence of extraordinary circumstances, will notify you of its decision to debar within ninety (90) calendar days of receiving any information you may have filed.[20] If the Bureau decides to debar you, its decision will become effective upon either your receipt of a debarment notice or publication of the decision in the Federal Register, whichever comes first.[21]

If and when your debarment becomes effective, you will be prohibited from participating in activities associated with or related to the Lifeline program for three years from the date of debarment.[22] The Bureau may set a longer debarment period or extend an existing debarment period if necessary to protect the public interest.[23]

Please direct any response, if sent by messenger or hand delivery, to Marlene H. Dortch, Secretary, Federal Communications Commission, 445 12th Street SW., Room TW–A325, Washington, DC 20554 and to the attention of Celia Lewis, Paralegal Specialist, Investigations and Hearings Division, Enforcement Bureau, Room 4–A422, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554 with a copy to Kalun Lee, Deputy Chief, Investigations and Hearings Division, Enforcement Bureau, Room 4–C237, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554. All messenger or hand delivery filings must be submitted without envelopes.[24] If sent by commercial overnight mail (other than U.S. Postal Service (USPS) Express Mail and Priority Mail), the response must be sent to the Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, Maryland 20743. If sent by USPS First Class, Express Mail, or Priority Mail, the response should be addressed to Celia Lewis, Paralegal Specialist, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street SW., Room 4–A422, Washington, DC 20554, with a copy to Kalun Lee, Deputy Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street SW., Room 4–C237, Washington, DC 20554. You shall also transmit a copy of your response via email to Celia Lewis, *Celia.Lewis@fcc.gov,* and Kalun Lee, *Kalun.Lee@fcc.gov*.

If you have any questions, please contact Ms. Lewis via U.S. postal mail, email, or by telephone at (202) 418–7456. If Ms. Lewis is unavailable, you may contact Kalun Lee, Deputy Chief, Investigations and Hearings Division, by telephone at (202) 418–0796 or at the email address noted above.

Sincerely yours,

Jeffrey J. Gee, Chief, Investigations and Hearings Division, Enforcement Bureau.

cc: Johnnay Schrieber, Universal Service Administrative Company (via email), Rashann Duvall, Universal Service Administrative Company (via email), Chris M. Stevens, United States Attorney's Office, Western District of Oklahoma (via email), Scott E. Williams, United States Attorney's

[5] *See Lifeline Reform Order,* 27 FCC Rcd at 6662–67, paras. 11–18; *see also* 47 CFR 54.400–54.422.

[6] *See* 47 CFR 54.407(d).

[7] *United States* v. *Chew,* Criminal Docket No. 5:14–cr–00170–D, Information at 4 (W.D. Okla. filed June 3, 2014).

[8] *Id.* at 1.

[9] *Id.* at 7–8; *Plea Agreement* at 2; *see also* United States Attorney's Office, Western District of Oklahoma, Press Release, *Icon Telecom and Its Owner Plead Guilty And Agree To Forfeit More Than $27 Million In Connection With Federal Wireless Telephone Subsidy Program,* June 12, 2014, *available at http://www.justice.gov/usao-wdok/pr/icon-telecom-and-its-owner-plead-guilty-and-agree-forfeit-more-27-million-connection.*

[10] 47 CFR 54.8(a)(4); *see Program Management Order,* 22 FCC Rcd at 16387, para. 32.

[11] 47 CFR 54.8(a)(1), (d).

[12] *Id.* § 54.8(e)(1).

[13] *Id.* § 54.8(e)(4).

[14] *Id.*

[15] *Id.* § 54.8(f).

[16] *Id.* §§ 54.8(e)(5), (f).

[17] ''Causes for suspension and debarment are conviction of or civil judgment for attempt or commission of criminal fraud, theft, embezzlement, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice and other fraud or criminal offense arising out of activities associated with or related to the schools and libraries support mechanism, the high-cost support mechanism, the rural health care support mechanism, and the low-income support mechanism.'' 47 CFR 54.8(c). Associated activities ''include the receipt of funds or discounted services through [the federal universal service] support mechanisms, or consulting with, assisting, or advising applicants or service providers regarding [the federal universal service] support mechanisms.'' *Id.* § 54.8(a)(1).

[18] *Id.* § 54.8(b).

[19] *Id.* § 54.8(e)(3).

[20] *Id.* § 54.8(e)(5).

[21] *Id.* The Commission may reverse a debarment, or may limit the scope or period of debarment, upon a finding of extraordinary circumstances, following the filing of a petition by you or an interested party or upon motion by the Commission. *Id.* § 54.8(f).

[22] *Id.* § 54.8(d), (g).

[23] *Id.* § 54.8(g).

[24] *See* FCC *Public Notice,* DA 09–2529 for further filing instructions (rel. Dec. 3, 2009).

Office, Western District of Oklahoma (via email).

[FR Doc. 2015–15065 Filed 6–17–15; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Sunshine Act Meeting

Pursuant to the provisions of the ''Government in the Sunshine Act'' (5 U.S.C. 552b), notice is hereby given that at 10:15 a.m. on Tuesday, June 16, 2015, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider matters related to the Corporation's supervision, corporate, and resolution activities.

In calling the meeting, the Board determined, on motion of Vice Chairman Thomas M. Hoenig, seconded by Director Thomas J. Curry (Comptroller of the Currency), concurred in by Director Richard Cordray (Director, Consumer Financial Protection Bureau), and Chairman Martin J. Gruenberg, that Corporation business required its consideration of the matters which were to be the subject of this meeting on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of the ''Government in the Sunshine Act'' (5 U.S.C. 552b(c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10).

Dated: June 16, 2015.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2015–15134 Filed 6–16–15; 4:15 pm]

BILLING CODE 6714–01–P

FEDERAL MARITIME COMMISSION

Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties may submit comments on the agreements to the Secretary, Federal Maritime Commission, Washington, DC 20573, within twelve days of the date this notice appears in the **Federal Register**. Copies of the agreements are available through the Commission's Web site (*www.fmc.gov*) or by contacting the Office of Agreements at (202) 523–5793 or *tradeanalysis@fmc.gov.*

Agreement No.: 011753–004.

Title: Hoegh Autoliners/EUKOR Space Charter Agreement.

Parties: Hoegh Autoliners AS and EUKOR Car Carriers, Inc.

Filing Party: Wayne R. Rohde, Esq.; Cozen O'Connor; 1627 I Street NW., Suite 1100; Washington, DC 20036.

Synopsis: The amendment expands the geographic scope of the agreement to include the trade from the U.S. West Coast to Japan, China and the Republic of Korea, and updates the addresses of the parties.

Agreement No.: 012206–002.

Title: Grimaldi/''K'' Line Space Charter Agreement.

Parties: Grimaldi Deep Sea S.P.A. and Grimaldi Euromed S.p.A (acting as a single party); Kawasaki Kisen Kaisha, Ltd.

Filing Party: Wayne Rohde; Cozen O'Connor; 1627 I Street NW., Suite 1100; Washington, DC 20006.

Synopsis: The amendment adds Grimaldi Euromed S.p.A. as a party to the agreement.

Agreement No.: 012212–002.

Title: NYK/Grimaldi Cooperative Working Agreement.

Parties: Nippon Yusen Kaisha N.Y.K. Line (North America) Inc.; and Grimaldi Deep Sea S.p.A. and Grimaldi Euromed S.p.A. (acting as a single party).

Filing Party: Wayne R. Rohde, Esq.; Cozen O'Conner; 1627 I Street NW., Suite 1100; Washington, DC 20006–4007.

Synopsis: The amendment adds Grimaldi Euromed S.p.A. as a party to the agreement.

Agreement No.: 012291–002.

Title: Maersk Line/MSC WCCA Space Charter Agreement.

Parties: Maersk Line A/S and MSC Mediterranean Shipping Company S.A.

Filing Party: Wayne Rohde, Esq.; Cozen O'Connor; 1627 I Street NW., Suite 1100; Washington, DC 20006.

Synopsis: The Amendment would provide for the chartering of space on an ''as needed, as available'' basis.

Agreement No.: 012293–004.

Title: Maersk/MSC Vessel Sharing Agreement.

Parties: Maersk Line A/S and MSC Mediterranean Shipping Company S.A.

Filing Party: Wayne Rohde, Esq.; Cozen O'Connor; 1627 I Street NW., Suite 1100; Washington, DC 20006.

Synopsis: The Amendment would add Russia, Saudi Arabia, and Israel to the geographic scope of the Agreement.

Agreement No.: 012346.

Title: Sealand/APL Central America Vessel Sharing Agreement Space Charter Agreement.

Parties: Maersk Line A/S DBA Sealand; APL Co. Pte Ltd.; American President Lines, Ltd..

Filing Party: Wayne R. Rohde, Esq.; Cozen O' Connor; 1627 I Street NW., Suite 1100; Washington, DC 20006–4007.

Synopsis: The agreement is a vessel sharing agreement in the trade between the U.S. East Coast on the one hand, and Panama and Colombia on the other.

Agreement No.: 012347.

Title: NYK/''K'' Line Space Charter Agreement.

Parties: Nippon Yusen Kaisha, Ltd. and Kawasaki Kisen Kaisha, Ltd.

Filing Party: John P. Meade, Esq.; General Counsel; K-Line America, Inc.; 6199 Bethlehem Road; Preston, MD 21655.

Synopsis: The agreement authorizes the parties to charter space to each other for new vehicles in the trade between the U.S. and Japan, Korea and China.

Agreement No.: 201228.

Title: Port of Seattle/Port of Tacoma Alliance Agreement.

Parties: Port of Seattle and Port of Tacoma.

Filing Party: Thomas H. Tanaka, Senior Port Counsel; Port of Seattle; 2711 Alaskan Way, Seattle, WA 98121; and Carolyn Lake, Port General Legal Counsel; Port of Tacoma; 501 South G Street, Tacoma, WA 98405.

Synopsis: The Agreement would authorize the parties to establish an alliance and create an entity known as a port development authority to operate the alliance.

Agreement No.: 201229.

Title: Port of Houston Authority and Maersk Agency USA, Inc. as agent for Maersk Line A/S Marine Terminal Services Agreement.

Parties: Port of Houston Authority and Maersk Line A/S.

Filing Party: Linda Henry, Associate General Counsel; Port of Houston Authority; 111 East Loop North, Houston, TX 77029.

Synopsis: The Agreement sets forth certain discounted rates and charges applicable to Maersk Line A/S container vessels calling at Port of Houston Authority's Barbours Cut and Bayport Container Terminals.

By Order of the Federal Maritime Commission.

Dated: June 12, 2015.

Karen V. Gregory,

Secretary.

[FR Doc. 2015–14920 Filed 6–17–15; 8:45 am]

BILLING CODE 6730–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than July 13, 2015.

A. Federal Reserve Bank of Kansas City (Dennis Denney, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001:

1. *Southwest Bancorp, Inc.,* Stillwater, Oklahoma; to acquire 100 percent of the voting shares of First Commercial Bancshares, Inc., and thereby indirectly acquire voting shares of First Commercial Bank, both in Edmond, Oklahoma.

Board of Governors of the Federal Reserve System, June 15, 2015.

Michael J. Lewandowski,

Associate Secretary of the Board.

[FR Doc. 2015–14985 Filed 6–17–15; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2015–D–1777]

Factors To Consider When Making Benefit-Risk Determinations for Medical Device Investigational Device Exemptions; Draft Guidance for Investigational Device Exemption Sponsors, Sponsor-Investigators, and Food and Drug Administration Staff; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of the draft guidance entitled ''Factors to Consider When Making Benefit-Risk Determinations for Medical Device Investigational Device Exemptions (IDEs).'' The purpose of this draft guidance is to provide greater clarity for FDA staff and IDE sponsors and sponsor-investigators regarding the principal factors that FDA considers when assessing the benefits and risks of IDE applications for human clinical study. The draft guidance also characterizes benefits in the context of investigational research, which includes direct benefits to the subjects and benefits to others (to the extent they are indirect benefits to subjects or reflect the importance of knowledge to be gained). This draft guidance is not final nor is it in effect at this time.

DATES: Although you can comment on any guidance at any time (see 21 CFR 10.115(g)(5)), to ensure that the Agency considers your comment of this draft guidance before it begins work on the final version of the guidance, submit either electronic or written comments on the draft guidance by September 16, 2015.

ADDRESSES: An electronic copy of the guidance document is available for download from the Internet. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance. Submit written requests for a single hard copy of the draft guidance entitled ''Factors to Consider When Making Benefit-Risk Determinations for Medical Device Investigational Device Exemptions (IDEs)'' to the Office of the Center Director, Guidance and Policy Development, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5431, Silver Spring, MD 20993–0002; or the Office of Communication, Outreach, and Development, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 3128, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request.

Submit electronic comments on the draft guidance to *http://www.regulations.gov.* Submit written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852. Identify comments with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Sugato De, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5435, Silver Spring, MD 20993–0002, 301–796–6270; or Stephen Ripley, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

A primary goal of this guidance is to clarify the factors that FDA considers when assessing risks and anticipated benefits for IDE studies, and how uncertainty may be offset by a variety of risk mitigation measures that can assure appropriate patient and participant protections in investigational research settings. At earlier stages of device development, FDA considers appropriate mitigation measures for anticipated possible risks and unanticipated risks, whereas in later stages, risk mitigation focuses increasingly on the most probable risks. Another important goal of this guidance is to characterize benefits in the context of investigational research, which includes direct benefits to the subjects and benefits to others (to the extent they are indirect benefits to subjects or reflect the importance of knowledge to be gained).

As with the benefit-risk framework for evaluating marketing applications, FDA assessment of benefits and risks for an IDE application takes into account the contextual setting in which the study is being proposed, including but not limited to characterization of the disease or condition being treated or diagnosed, the availability of alternative treatments or diagnostics, and the risks associated with them. When available, information characterizing subject tolerance for risk

and perspective on benefit may provide useful context during this assessment.

FDA believes use of this benefit-risk framework in an IDE application will facilitate the incorporation of evidence and knowledge from different domains—clinical, nonclinical, and patient—to support a comprehensive, balanced decision-making approach. FDA envisions this will facilitate a common understanding between FDA and sponsors/sponsor-investigators by highlighting which factors are critical in the benefit-risk assessment for a specific application, and clearly explaining how these factors influence a regulatory decision. FDA also believes implementation of this guidance document will improve the predictability, consistency, and transparency of the review process for IDE applications.

II. Significance of Guidance

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the Agency's current thinking on ''Factors to Consider When Making Benefit-Risk Determinations for Medical Device Investigational Device Exemptions (IDEs).'' It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statute and regulations.

III. Electronic Access

Persons interested in obtaining a copy of the draft guidance may do so by downloading an electronic copy from the Internet. A search capability for all Center for Devices and Radiological Health guidance documents is available at *http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/GuidanceDocuments/default.htm.* Guidance documents are also available at *http://www.regulations.gov* or from CBER at *http://www.fda.gov/BiologicsBloodVaccines/GuidanceComplianceRegulatoryInformation/default.htm.* Persons unable to download an electronic copy of ''Factors to Consider When Making Benefit-Risk Determinations for Medical Device Investigational Device Exemptions'' may send an email request to *CDRH-Guidance@fda.hhs.gov* to receive an electronic copy of the document. Please use the document number 1783 to identify the guidance you are requesting.

IV. Paperwork Reduction Act of 1995

This draft guidance refers to previously approved collections of information found in FDA regulations. These collections of information 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 812 have been approved under OMB control number 0910–0078; the collections of information in 21 CFR part 50.23 (Exception from general requirements for informed consent) have been approved under OMB control number 0910–0586; the collections of information in 21 CFR part 56.115 (IRB records) have been approved under OMB control number 0910–0130; and the collections of information in 21 CFR part 50, subpart B (Informed Consent of Human Subjects) and 56 (Institutional Review Boards) have been approved under OMB control number 0910–0755.

V. Comments

Interested persons may submit either electronic comments regarding this document to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *http://www.regulations.gov*.

Dated: June 12, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–14982 Filed 6–17–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2015–N–1968]

Non-Microbial Biomarkers of Infection for In Vitro Diagnostic Device Use; Public Workshop; Request for Comments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of public workshop; request for comments.

SUMMARY: The Food and Drug Administration (FDA) is announcing the following public workshop entitled ''Non-Microbial Biomarkers of Infection for In Vitro Diagnostic Device Use.'' The purpose of this workshop is to receive input from stakeholders and discuss approaches to the study of non-microbial biomarkers for differentiating viral from bacterial infections and for diagnosis and assessment of sepsis. Comments and suggestions generated through this workshop will facilitate further development of regulatory science for establishing appropriate comparator methods and clinically relevant performance standards for non-microbial based in vitro diagnostics for infection.

DATES: The public workshop will be held on October 16, 2015, from 8 a.m. to 5 p.m. Registration to attend the meeting must be made by 4 p.m. on October 6, 2015. Registration from those individuals interested in presenting comments should be received by September 16, 2015. See the **SUPPLEMENTARY INFORMATION** section for instructions on how to register for the meeting. Submit either electronic or written comments by 4 p.m. on November 13, 2015.

ADDRESSES: The public workshop will be held at the FDA White Oak Campus, 10903 New Hampshire Ave., Building 31 Conference Center, the Great Room (Rm. 1503), Silver Spring, MD 20993. Entrance for the public meeting participants (non-FDA employees) is through Building 1 where routine security check procedures will be performed. For parking and security information, please refer to *http://www.fda.gov/AboutFDA/WorkingatFDA/BuildingsandFacilities/WhiteOakCampusInformation/ucm241740.htm*.

Submit electronic comments to *http://www.regulations.gov*. Submit written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville MD 20852. All comments should be identified with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Natasha Townsend, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5525, Silver Spring, MD 20993–0002, 301–796–5927, FAX: 301–847–2512, email: *natasha.townsend@fda.hhs.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

There has been increasing interest in the development of non-microbiological biomarkers to aid in determining whether patient signs and symptoms consistent with infection are attributable to an infectious or non-infectious cause,

and if infectious, whether of viral or bacterial etiology. Interest has ranged from aiding in the diagnosis of relatively mild outpatient upper respiratory symptoms to the assessment of critically ill patients. Progress in this area has been hindered by a lack of consensus on important issues in clinical trial design for new analytes; these issues include appropriate clinical trial designs (including acceptable comparator methods, *e.g.,* for ascertaining viral or bacterial infections), clinical definitions of different disease states, and acceptable device performance (*i.e.,* benefit/risk in different disease states and target populations). Devices that can differentiate a bacterial etiology from other causes of illness (*e.g.,* viral, fungal, or non-infectious etiologies) can significantly impact antibiotic stewardship and potentially antimicrobial resistance.

II. Purpose and Scope of the Public Workshop

The purpose of the public workshop is to discuss the use of non-microbial biomarkers as indicators of infection, potential clinical trial designs that can be used to establish effectiveness, and benefit/risk considerations for use. Specifically, FDA seeks input from health care practitioners, industry, government, academia, and other stakeholders on these topics. This discussion is viewed as essential for establishing the appropriate methods to study the safety and effectiveness of these analytes for different possible uses.

This public workshop will consist of brief presentations providing information to frame the goals of the workshop and interactive discussions via several panel sessions. The presentations will focus on current and anticipated uses for non-microbial biomarkers of infection and a review of different approaches that have been considered for clinical trials. Following the presentations there will be a moderated discussion where participants and additional panelists will be asked to provide their individual perspectives. Topics to be discussed include: (1) Clinical uses for non-microbial biomarkers of infection, (2) comparator methods for studies differentiating viral from bacterial infection, (3) performance standards, (4) statistical methods appropriate for sepsis biomarker trials, and (5) unique considerations when studying pediatric populations.

In advance of the meeting, FDA will place a summary of the issues it believes need consideration on file in the public docket (docket number found in brackets in the heading of this document) and will post it at *http://www.fda.gov/MedicalDevices/NewsEvents/WorkshopsConferences/default.htm*. The deadline for submitting comments on this document for presentation at the public workshop is September 11, 2015, although comments related to this document can be submitted until November 13, 2015.

III. Attendance and Registration

Registration is free and available on a first-come, first-served basis. Persons interested in attending this public workshop must register online by 4 p.m. on October 6, 2015. Early registration is recommended because facilities are limited and, therefore, FDA may limit the number of participants from each organization. If time and space permits, onsite registration on the day of the public workshop will be provided beginning at 7 a.m.

If you need special accommodations due to a disability, please contact Susan Monahan, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 4321, Silver Spring, MD 20993–0002, 301–796–5661, email: *susan.monahan@fda.hhs.gov,* no later than 4 p.m. on October 2, 2015.

To register for the public workshop, please visit FDA's Medical Devices News & Events—Workshops & Conferences calendar at *http://www.fda.gov/MedicalDevices/NewsEvents/WorkshopsConferences/default.htm*. (Select this public workshop from the posted events list.) Please provide complete contact information for each attendee, including name, title, affiliation, address, email, and telephone number. Those without Internet access should contact Susan Monahan to register. Registrants will receive confirmation after they have been accepted. You will be notified if you are on a waiting list.

A. Streaming Webcast of the Public Workshop

This public workshop will also be Webcast. Persons interested in viewing the Webcast must register online by 4 p.m. on October 6, 2015. Early registration is recommended because Webcast connections are limited. Organizations are requested to register all participants, but to view using one connection per location. Webcast participants will be sent technical system requirements after registration and will be sent connection access information after October 8, 2015. If you have never attended a Connect Pro event before, test your connection at *https://collaboration.fda.gov/common/help/en/support/meeting_test.htm*. To get a quick overview of the Connect Pro program, visit *http://www.adobe.com/go/connectpro_overview*. (FDA has verified the Web site addresses in this document, but FDA is not responsible for any subsequent changes to the Web sites after this document publishes in the **Federal Register**.)

B. Requests for Oral Presentations

This public workshop includes a public comment session. During online registration you may indicate if you wish to present during a public comment session, and which topics you wish to address. FDA has included general topics in this document which are addressed in section II. FDA will do its best to accommodate requests to make public comments. Individuals and organizations with common interests are urged to consolidate or coordinate their presentations and request time for a joint presentation, or submit requests for designated representatives to participate in the focused sessions. All requests to make oral presentations must be received by September 16, 2015. FDA will determine the amount of time allotted to each presenter and the approximate time each oral presentation is to begin, and will select and notify participants by September 22, 2015. If selected for presentation, any presentation materials must be emailed to Yvonne Shea at *yvonne.shea@fda.hhs.gov* no later than 5 p.m. on October 2, 2015. No commercial or promotional material will be permitted to be presented or distributed at the public workshop.

IV. Comments

FDA is holding this public workshop to obtain information on approaches for establishing the performance of non-microbial biomarkers of infection for in vitro diagnostic device use. In order to permit the widest possible opportunity to obtain public comment, FDA is soliciting either electronic or written comments on all aspects of the public workshop topics. The deadline for submitting comments related to this public workshop is 4 p.m. on November 13, 2015.

Regardless of attendance at the public workshop, interested persons may submit either electronic comments regarding this document to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. In addition, when responding to specific topics as

described in section II of this document, please identify the topic you are addressing. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *http://www.regulations.gov*.

V. Transcripts

As soon as a transcript is available, it will be accessible at *http://www.regulations.gov*. It may also be viewed in person at the Division of Dockets Management (see **ADDRESSES**). A transcript will also be available in either hardcopy or on CD–ROM, after submission of a Freedom of Information request. Written requests are to be sent to the Division of Freedom of Information (ELEM–1029), Food and Drug Administration, 12420 Parklawn Dr., Element Bldg., Rockville, MD 20857. A link to the transcripts will also be available approximately 45 days after the public workshop on the Internet at *http://www.fda.gov/MedicalDevices/NewsEvents/WorkshopsConferences/default.htm*. (Select this public workshop from the posted events list.)

Dated: June 12, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–14983 Filed 6–17–15; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Human Immunodeficiency Virus (HIV) Organ Policy Equity (HOPE) Act Safeguards and Research Criteria for Transplantation of Organs Infected With HIV

AGENCY: National Institutes of Health, Department of Health and Human Services.

ACTION: Notice of availability and request for comments.

SUMMARY: The HOPE Act requires the Secretary of Health and Human Services (the Secretary) to develop and publish criteria for research involving transplantation of HIV-infected (HIV+) donor organs in HIV+ recipients. The goals of these criteria are, first, to ensure that research using organs from HIV+ donors is conducted under conditions protecting the safety of research participants and the general public; and second, that the results of this research provide a basis for evaluating the safety of solid organ transplantation (SOT) from HIV+ donors to HIV+ recipients. The National Institutes of Health (NIH), U.S. Department of Health and Human Services, invites the public to submit comments regarding the proposed HOPE Act criteria.

DATES: To ensure that comments will be considered, comments must be received no later than 5:00 p.m. on August 17, 2015.

ADDRESSES: Comments may be submitted by any of the following methods:

- *Email: HOPEAct@mail.nih.gov.*
- *Fax:* 301–451–5671.
- *Regular Mail:* Dr. Jonah Odim, 5601 Fishers Lane, Room 6B21, MSC 9827, Bethesda, MD 20892–9827.
- *Hand Delivery, Overnight Mail, FedEx, and UPS:* Dr. Jonah Odim, 5601 Fishers Lane, Room 6B21, MSC 9827, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Dr. Jonah Odim, 240–627–3540.

SUPPLEMENTARY INFORMATION: There is little evidence base for HIV+ to HIV+ organ transplantation, and it is only in liver and kidney transplantation that there is substantial experience with transplantation of organs from HIV-uninfected (HIV−) donors to HIV+ recipients. The criteria for conducting clinical research in HIV+ to HIV+ organ transplantation are set forth in six broad categories (Donor Eligibility, Recipient Eligibility, Transplant Hospital Criteria, Organ Procurement Organization (OPO) Responsibilities, Prevention of Inadvertent Transmission of HIV, and Study Design/Required Outcome Measures) and are summarized in the table below. These criteria are in addition to current policies and regulations governing organ transplantation and human subjects research. The goals of these criteria are, first, to ensure that research using organs from HIV+ donors is conducted under conditions protecting the safety of research participants and the general public; and second, that the results of this research provide a basis for evaluating the safety of SOT from HIV+ donors to HIV+ recipients.

Category	Criteria
Donor Eligibility:	
Deceased donor with known history of HIV infection.	Cluster of differentiation 4 (CD4)+ T-cell count ≥200/microliter (μL) or ≥14%.
	HIV–1 ribonucleic acid (RNA) <50 copies/milliliter (mL); No history of viral load >1000 copies/mL in the prior 12 months.
	No active opportunistic infection (OI).
Deceased donor with newly diagnosed HIV infection.	CD4+ T-cell count ≥200/μL or ≥14%.
	Viral load: no requirement.
	No active OI.
Living HIV+ donor	Well-controlled HIV infection.
	CD4+ T-cell count (lifetime nadir) ≥200/μL.
	CD4+ T-cell count ≥500/μL for the 6-month period before donation.
	HIV–1 RNA <50 copies/mL.
	No OI.
	Pre-transplant donor allograft biopsy showing no evidence of disease that would increase the risk of post-transplant organ failure or poor graft function.
Recipient (HIV+) Eligibility	CD4+ T-cell count ≥200/μL (kidney).
	CD4+ T-cell count ≥100μL (liver) within 16 weeks prior to transplant; or ≥200μL with history of OI
	HIV–1 RNA <50 copies/mL and on a stable antiretroviral regimen.
	No active OI or neoplasm.
	No history of chronic cryptosporidiosis, primary central nervous system (CNS) lymphoma, or progressive multifocal leukoencephalopathy (PML).

Category	Criteria
Transplant Hospital Criteria	Transplant hospital with established program for care of HIV+ subjects. HIV program expertise on the transplant team. Experience with HIV− to HIV+ organ transplantation. Standard operating procedures (SOPs) and training for the organ procurement, implanting/operative, and postoperative care teams for handling HIV-infected subjects, organs, and tissues. Institutional review board (IRB)-approved research protocol in HIV+ to HIV+ transplantation. Institutional biohazard plan outlining measures to prevent and manage inadvertent exposure and/or transmission of HIV. Provide each living HIV+ donor and HIV+ recipient with an ''Independent Advocate''. Policies and SOPs governing the necessary knowledge, experience, skills, and training for independent advocates.
OPO Responsibilities	SOPs and staff training procedures for working with deceased HIV+ donors and their family in pertinent history taking, medical chart abstraction, the consent process, and handling blood, tissues, organs and biospecimens. Biohazard plan to prevent and manage HIV exposure and/or transmission.
Prevention of Inadvertent HIV Transmission.	Each participating Transplant Program and OPO shall develop an institutional biohazard plan for handling of HIV+ organs that is designed to prevent and/or manage inadvertent transmission or exposure to HIV. Procedures must be in place to ensure that human cells, tissues, and cellular and tissue-based products (HCT/Ps) are not recovered from HIV+ donors for implantation, transplantation, infusion, or transfer into a human recipient; however, HCT/Ps from a donor determined to be ineligible may be made available for nonclinical purposes.
Required Outcome Measures:	
Wait List Candidates	HIV status. CD4+ T-cell counts. Co-infection (hepatitis C virus (HCV), hepatitis B virus (HBV)). HIV viral load. ART resistance. Removal from wait list (death or other reason). Time on wait list.
Donors (all)	Type (Living or deceased). HIV status (HIV+ new diagnosis, HIV+ known diagnosis). CD4+ T-cell count. Co-infection (HCV, HBV). HIV viral load. ART resistance.
Living Donors	Progression to renal insufficiency in kidney donors (serum creatinine >2 mg/deciliter (dL), serum creatinine level twice the pre-donation creatinine level, or proteinuria). Progression to hepatic insufficiency in living donors (international normalized ratio (INR) >1.5 and/or total bilirubin >2.0). Change in ART regimen as a result of organ dysfunction. Progression to acquired immunodeficiency syndrome (AIDS). Failure to suppress viral replication (persistent HIV viremia). Death.
Transplant Recipients	Rejection rate (Years 1 and 2). Progression to AIDS. New OI. Failure to suppress viral replication (persistent HIV viremia). HIV-associated organ failure. Malignancy. Graft failure. Mismatched ART resistance versus donor. Death.

Instructions for Submitting Comments: Comments are invited on but not limited to: (1) Donor and recipient eligibility criteria; (2) the inclusion of living HIV+ donors; (3) other viral co-infections in the donor and/or recipient (*e.g.,* HBV and/or HCV) (4) transplant hospital criteria; (5) OPO responsibilities; (6) minimal required outcome measures under the HOPE Act; and (7) whether the proposed collection of these minimal outcome measures is sufficient to assess the safety of HIV+ to HIV+ transplant as outlined in the HOPE Act. Do not include personal information that you do not want publicly disclosed.

Abbreviations

AIDS	Acquired Immunodeficiency Syndrome.
APOL1	Apolipoprotein 1.
ART	Antiretroviral Therapy.
CD4	Cluster of Differentiation 4.
CMS	Centers for Medicare & Medicaid Services.
CNS	Central Nervous System.
dL	Deciliter.
FDA	Food and Drug Administration.
FIPSE	Spanish Foundation for AIDS Research.
GESIDA	Spanish AIDS Study Group.
HAART	Highly Active Antiretroviral Therapy.
HBV	Hepatitis B Virus.
HCT/Ps	Human Cells, Tissues, and Cellular and Tissue-Based Products (HCT/Ps).
HCV	Hepatitis C Virus.
HIV	Human Immunodeficiency Virus.
HIV−	HIV-uninfected.
HIV+	HIV-infected.
HOPE Act	HIV Organ Policy Equity Act.
INR	International normalized ratio.
IRB	Institutional Review Board.
mL	Milliliter.
NIH	National Institutes of Health.
NNRTI	Non-Nucleoside Reverse Transcriptase Inhibitor.

NRTI	Nucleoside Reverse Transcriptase Inhibitor.
OI	Opportunistic Infection.
OPO	Organ Procurement Organization.
OPTN	Organ Procurement and Transplantation Network.
PCR	Polymerase Chain Reaction.
PML	Progressive Multifocal Leukoencephalopathy.
RNA	Ribonucleic Acid.
SOPs	Standard Operating Procedures.
SOT	Solid Organ Transplantation.
SRTR	Scientific Registry of Transplant Recipients.
UNOS	United Network for Organ Sharing.
μL	Microliter.

Background

Public Law 113–51, The HOPE Act, requires the Secretary of Health and Human Services (the Secretary) to, among other things, ''develop and publish criteria for conduct of research relating to transplantation of organs from donors infected with human immunodeficiency virus (HIV) into individuals who are infected with HIV before receiving such organ.'' (See Public Health Service Act section 377E(a) [codified at 42 U.S.C. 274f–5]). In addition, pursuant to section 377E(c) of the HOPE Act, the Secretary is required, in conjunction with the OPTN, to review the results of that research to determine whether revisions should be made to the standards of quality adopted under section 372(b)(2)(E) of the Public Health Service Act (OPTN standards for the acquisition and transportation of donated organs) and the regulations governing the operation of the OPTN (42 CFR 121.6).

The authority vested in the Secretary under section 377E(a) to develop and publish research criteria was delegated to the Director, National Institutes of Health (NIH), and these research criteria are the subject of this document. They are meant to ensure first, that research using organs from HIV+ donors is conducted under conditions protecting the safety of research participants and the general public; and second, that the results of this research provide a basis for evaluating the safety of SOT from HIV+ donors to HIV+ recipients.

Process

This document was authored by representatives of the NIH and Centers for Disease Control and Prevention. Additional input from representatives of other federal agencies, including the Health Resources and Services Administration, Centers for Medicare & Medicaid Services (CMS), and the Food and Drug Administration (FDA), was solicited. In addition, perspectives and input were solicited from community stakeholders.

Introduction

The advent of effective antiretroviral therapy (ART) in the mid-1990s for treatment of individuals infected with HIV transformed a rapidly fatal disease into a well-controlled chronic illness. Currently, the life expectancy of subjects infected with HIV and receiving ART early in the course of their disease approaches that of individuals without HIV infection (Wada, 2013, 2014). In this era of greater longevity, liver failure, end-stage renal disease, and cardiovascular disease have emerged as important causes of morbidity and mortality in patients with HIV infection (Neuhaus, 2010).

Organ transplantation prolongs survival and improves quality of life for individuals with end stage organ disease (Matas, 2014; Kim, 2014). Until recently, however, organ transplantation was unavailable to those infected with HIV due to concerns that pharmacologic immunosuppression to prevent rejection would hasten progression from HIV infection to AIDS, concerns about disease transmission, and reluctance to allocate organs to a population whose outcome was unpredictable (Blumberg, 2009, 2013; Mgbako, 2013; Taege, 2013). Nevertheless, a few transplant programs accepted HIV+ patients on their transplant waiting lists and accumulated data showing kidney or liver transplantation could be done safely in these patients (Roland, 2002, 2003a, 2003b; Blumberg, 2009; Stock, 2010; Yoon, 2011; Terrault, 2012). Subsequently, a prospective, multi-center clinical trial of kidney and liver transplantation in 275 patients demonstrated that among HIV+ kidney and liver transplant recipients, patient and graft survival rates were acceptable and within the range of outcomes currently achieved among non-infected transplant recipients. However, the rate of kidney rejection was unexpectedly high; demonstrating the immune dysregulation resulting from HIV infection, HCV co-infection, and antirejection drugs is complex and incompletely understood. Some of the challenges encountered in that study remain relevant for clinical sites offering organ transplantation to HIV+ individuals today (*e.g.,* management of drug interactions and toxicities when combining complex medical regimens, management of combined morbidities of two or more active diseases, and the need for ongoing collaboration among medical professionals from different specialties) (Frassetto, 2007; Locke, 2014). Despite the complexities, this study and others (Ragni, 1999; Frassetto, 2009; Huprikar, 2009; Stock, 2010; Touzot, 2010; Cooper, 2011; Duclos-Vallee, 2011; Reeves-Daniel, 2011; Fox, 2012; Terrault, 2012; Grossi, 2012; Gomez, 2013; Harbell, 2013) demonstrate that kidney and liver transplantation are appropriate in HIV+ individuals with liver or kidney failure, though gaps in knowledge and many research questions remain. There is much less experience with heart (Calabrese, 2003; Bisleri, 2003; Pelletier, 2004; Uriel, 2009, 2014; Castel, 2011a, 2011b; Durante-Mangoni, 2011 and 2014) and lung (Mehta, 2000; Humbert, 2006; Petrosillo, 2006; Bertani, 2009; Kern, 2014) transplantation in HIV+ recipients, or mechanical circulatory assistance (Brucato, 2004; Fieno, 2009; Mehmood, 2009; Sims, 2011) as a bridge to transplantation, although case reports and small case series suggest acceptable short-term outcomes are possible.

Prior to the passage of the HOPE Act, U.S. law required that all U.S. transplants for HIV+ recipients utilize organs from HIV − uninfected (HIV −) donors. See 42 U.S.C. 273(b)(3)(C), 274(b); 18 U.S.C. 1122 (all prior to amendment by the HOPE Act). The potential for increasing the pool of available organ donors for all recipients by allowing the use of organs from donors infected with HIV for transplantation into recipients infected with HIV (hereinafter referred to as ''HIV+ to HIV+ transplantation'') is recognized (Boyarsky, 2011; Mgbako, 2013; Mascolini, 2014). It is estimated that an additional 500 organ donors per year might be available if HIV+ individuals were accepted as organ donors for HIV+ recipients (Boyarsky, 2011). The only published experience with HIV+ to HIV+ SOT at this time is an early pilot report from South Africa (Muller, 2010) with 100 percent patient and graft survival in 4 patients. In a follow-up report from the same group, an additional 10 HIV+ to HIV+ renal transplants were performed (Muller, 2012). All patients were restarted on ART early postoperatively in the immunosuppressive setting of T-cell-depleting induction therapy, tacrolimus, mycophenolate mofetil, and prednisone. One to four years post-transplantation, outcomes remained excellent and all patients had undetectable viral loads (Muller, 2012).

This document presents criteria for conducting research in HIV+ to HIV+ SOT. The criteria are grouped into six broad categories: Donor Eligibility, Recipient Eligibility, Transplant Hospital Criteria, OPO Responsibilities, Prevention of Inadvertent Transmission of HIV, and Study Design/Required

Outcome Measures. These research criteria do not describe all of the necessary components of a research protocol for HIV+ to HIV+ transplantation, such as the specific medication regimens, pre-transplant induction (if any), maintenance immunosuppression after transplantation, or control of HIV infection. These considerations, and others, will be determined by an investigator's specific research questions and the expertise of those conducting the research. Rather, the criteria address the minimum safety and data requirements of clinical research in HIV+ to HIV+ transplantation. As mandated by the HOPE Act, the Secretary, together with the OPTN, is charged with reviewing the results of scientific research conducted under these criteria to determine whether the OPTN's standards of quality should be further modified and whether some HIV+ to HIV+ transplants should proceed outside the auspices of research conducted under such criteria.

This document focuses on liver and kidney transplantation, as it is only in liver and kidney transplantation that there is substantial experience with transplantation from HIV − donors to HIV+ recipients. The intent is not to exclude the possibility of HIV+ to HIV+ transplantation of other organs such as heart or lung in the future; however, transplant teams should gain experience with HIV − to HIV+ transplantation of a specific organ before taking on the more complex and less well-defined issues of HIV+ to HIV+ transplantation of that organ. Centers developing research protocols for HIV+ to HIV+ non-renal, non-liver transplantation must have a study team with demonstrated experience in HIV − to HIV+ transplants, as noted in Section 3.1(ii), for the organ transplant(s) proposed in the research protocol. Specific criteria for the transplantation of organs other than liver and kidney have not been provided in this document because no evidence base exists to support such recommendations. The study team developing a research protocol for HIV+ to HIV+ non-renal, non-liver transplantation will need to develop and justify specific criteria for review and approval by their IRB, based on the relevant experiences of the study team and others.

These criteria are in addition to, not in place of, current policies and regulations governing organ transplantation and research. Accordingly, to emphasize the specific requirements unique to the transplantation of organs from HIV+ donors into HIV+ recipients in research, the research criteria set forth here do not address related requirements that may exist in federal regulations or OPTN Bylaws or policies including, but not limited to, obligations imposed on OPTN transplant hospitals and transplant programs concerning informed consent of transplant recipients and living donors, the equitable allocation of organs, and organ offers. The regulations governing the operation of OPTN are codified at 42 CFR part 121 and OPTN policies can be found at *http://optn.transplant.hrsa.gov/ContentDocuments/OPTN_Policies.pdf.*

Under these research criteria, all HIV+ to HIV+ transplantation must occur under an IRB-approved research protocol and shall comply with any other existing laws, policies and regulations governing the conduct of human subjects research; see Public Law 113–51 and, *e.g.,* 45 CFR part 46 (as applicable). In addition, a transplant program conducting research in HIV+ to HIV+ transplantation under these research criteria must provide each living donor and recipient with an ''Independent Advocate'' (as defined in CMS regulations at 42 CFR 482.98(d)).

1 Donor Eligibility

HIV+ living donors and HIV+ deceased donors of organs for transplantation into an HIV+ recipient must fulfill applicable clinical criteria in place for uninfected organ donors.

There is substantial concern about the consequences of transplanting an organ from an HIV+ donor to a recipient infected with a strain of HIV that differs from the donor's in terms of its responsiveness to ART. The likelihood and impact of HIV superinfection in this context are unknown. Adverse consequences could range from transient loss of viral suppression necessitating a change in antiretroviral regimen to a worst-case scenario in which the new infecting strain of HIV is unresponsive to available antiretroviral treatment and the recipient progresses to AIDS (Redd, 2013). Information relevant to understanding the known or potential extent of antiretroviral resistance in the strain of HIV infecting the organ donor may be incomplete; there may be inadequate virus in donor specimens for antiretroviral resistance testing; if the specimen is adequate there may be a limited time, or decision-making window, to assess antiretroviral resistance before the organ must be implanted; the donor's history of antiretroviral treatment may be unknown; and results of any prior antiretroviral resistance testing may be unavailable. These issues might be especially challenging when considering organ donation from deceased donors whose HIV infection is first identified during donor evaluation. As of 2011, an estimated 1 in 6 U.S. adults living with HIV infection were undiagnosed (Prevention, 2013) and an estimated 16 percent of newly diagnosed, untreated individuals were infected with virus resistant to at least one class of antiretroviral drug (Kim, 2013; Megens, 2013).

It is anticipated that matching donors and recipients infected with strains of HIV that have the same antiretroviral resistance pattern and whose infections are effectively controlled with comparable antiretroviral regimens will pose the lowest risk of harm to the recipient. However, such a stringent transplant eligibility criterion would limit the pool of suitable donors and constrain capacity to study transplantation of HIV+ organs under the HOPE Act. Transplant teams evaluating a donor should review all available donor and recipient information and be able to propose an antiretroviral regimen that will be equally or more effective, safe, and tolerable for the recipient after transplantation as the regimen in place before transplantation. If there is substantial doubt about the ability to suppress viral replication after transplantation, a different donor should be sought.

Donors co-infected with hepatitis are not excluded from HIV+ to HIV+ transplant; however, careful consideration must be given when evaluating a donor co-infected with HBV and/or HCV (Terrault, 2012; Miro, 2012; Moreno, 2012; Sherman, 2014; Chen, 2014). Although HCV therapeutic strategies are rapidly evolving (Fofana, 2014; Liang, 2013), it is possible that mixed genotype HCV infections may influence post-transplant treatment of HCV in the recipient. Prior antiretroviral treatment of the donor and/or recipient with agents active against HBV (*i.e.,* lamivudine, emtricitabine and tenofovir) has the potential for revealing HBV drug resistance in the recipient (Dieterich, 2007; Soriano, 2009; Pais, 2010).

In the case of a living HIV+ organ donor, the risk of future end-stage liver or kidney failure in the donor must be carefully assessed, as it is in other at-risk populations currently eligible to donate an organ. For example, kidney disease in HIV+ patients has been associated with variants in the apolipoprotein 1 (APOL1) coding variants that confer a very high risk of susceptibility, and are almost exclusively found in patients of African

descent (Genovese, 2010). Living donation of a kidney from a donor having such a variant may be associated with an unacceptable risk of subsequent kidney disease to both the donor and the recipient (Reeves-Daniel, 2011).

These criteria require that the consent process for an HIV+ living organ donor must include and document provision to the donor of information regarding: (1) The possibility that the loss of organ function resulting from donation could preclude the use of certain ART drugs in the future; (2) the risk of kidney or liver failure in the setting of HIV infection in the future; (3) the possibility of transmission of occult OIs to the recipient; and (4) the absence of U.S. experience in HIV+ to HIV+ organ transplantation, and thus the unpredictable nature of donor and recipient outcomes (Mgbako, 2013).

HIV+ transplant candidates who are listed for a transplant in the context of a research study of HIV+ to HIV+ transplantation must have the same opportunity as other transplant candidates to receive an organ from an HIV-negative donor, should one become available for them.

1.1 Donor (HIV+) Eligibility Criteria

The HIV-specific donor eligibility criteria specified below apply when screening HIV+ deceased and HIV+ living donors (also refer to Table 1). Co-infection with HBV and/or HCV is not an exclusion criterion, although researchers that include the co-infected donor must address any additional eligibility criterion within their research protocol.

1.1.1 Deceased Donors

When evaluating HIV+ deceased donors, it is understood that limited medical history may be available and/or known at the time of the donor evaluation. The transplant team must make all reasonable efforts possible to obtain prior medical history to determine the suitability of the potential donor. A complete history of antiretroviral regimens and a history of viral load tests and resistance testing are especially valuable for evaluating the likelihood of donor HIV resistance to ART regimens. In addition, a history of OIs or cancers is also of high importance, due to the increased risk for both attributable to HIV, and the additional difficulty of treating some infections and neoplasms in a post-transplant setting.

Minimum eligibility criteria for all HIV+ deceased donors:

i. Documented HIV infection using licensed test devices and with established confirmatory criteria.

ii. No known history of a CD4+ T-cell count <200/μL.

Minimum eligibility criteria for deceased donors with a known history of HIV infection:

i. Documented HIV infection using licensed test devices and with established confirmatory criteria.

ii. Well-controlled HIV infection, as evidenced by:

a. CD4+ T-cell count ≥200/μL or ≥14 percent.

b. Fewer than 50 copies/mL of HIV–1 RNA detectable by ultrasensitive or real-time polymerase chain reaction (PCR) assay.

c. No known history of a viral load > 1000 copies/mL in the prior 12 months.

iii. The study team must be able to predict a tolerable regimen in the recipient based on the current regimen suppressing virus in the donor as well as the donor's history of ART resistance.

iv. No evidence of active opportunistic complications of HIV infection.

Minimum eligibility criteria for deceased donors newly diagnosed with HIV infection at the time of evaluation for organ donation:

i. Documented HIV infection using licensed test devices and with established confirmatory criteria.

ii. CD4+ T-cell count ≥200/μL or ≥14 percent.

iii. No evidence of active opportunistic complications of HIV infection.

1.1.2 Living Donors Infected With HIV

Minimum eligibility criteria for living donors infected with HIV:

i. Documented HIV infection using licensed test devices and with established confirmatory criteria.

ii. Well-controlled HIV infection, as evidenced by:

a. Lifetime nadir of ≥200 CD4+ T cells/μL.

b. CD4+ T-cell count ≥500/μL for the 6-month period preceding donation.

c. Fewer than 50 copies/mL of HIV–1 RNA detectable by ultrasensitive or real-time PCR assay.

iii. A complete history of ART regimens and ART resistance.

iv. The study team must be able to predict a tolerable regimen in the recipient based on the current regimen suppressing virus in the donor as well as the donor's history of ART resistance.

v. No evidence of active opportunistic complications of HIV infection.

vi. A liver biopsy (in liver donors) or a kidney biopsy (in kidney donors) showing no evidence of a disease process that would put the donor at increased risk of progressing to end-stage organ failure after donation, or that would present a risk of poor graft function to the recipient.

2 Recipient Eligibility

A key consideration when evaluating potential HIV+ transplant candidates is the ability to suppress HIV viral load post-transplant. This includes a thorough assessment by the transplant team of the patient's prescribed antiretroviral medications, HIV RNA levels while on medications, adherence to HIV treatment, and any available HIV resistance testing. The transplant team must be able to devise a post-transplant medication regimen that is both tolerable and effective in suppressing HIV. If there is any significant doubt on the part of the transplant team about the ability to suppress viral replication post-transplant, the patient should not be enrolled in a study of HIV+ to HIV+ organ transplantation.

2.1 Recipient Eligibility Criteria

The following HIV-specific criteria must be met when screening for a HIV+ to HIV+ organ transplant (also refer to Table 1):

i. CD4+ T-cell count ≥200/μL (kidney) and ≥100/μL (liver) within 16 weeks prior to transplant; any patient with history of OI must have a CD4+ T-cell count ≥200/μL.

ii. HIV RNA less than 50 copies/mL and on a stable antiretroviral regimen.*

iii. No active OI or neoplasm.

iv. No history of chronic cryptosporidiosis, primary CNS lymphoma, or progressive PML.

v. Concurrence by the study team that, based on medical history and ART, viral suppression can be achieved in the recipient post-transplant.

*Patients who are unable to tolerate ART due to organ failure or who have only recently started ART may have detectable viral load and still be considered eligible if the study team is confident there will be an effective antiretroviral regimen for the patient once organ function is restored after transplantation.

TABLE 1—SUMMARY OF DONOR (D) AND RECIPIENT (R) ELIGIBILITY CRITERIA FOR HIV+ SERO-CONCORDANT ORGAN TRANSPLANT PAIRS (D/R) UNDER THE HOPE ACT

HIV-related variables	Deceased donor		Living donor	HIV+ recipient
	New HIV infection diagnosis	History of HIV infection		
Current CD4+ T-cell count (T lymphocytes/μL).	≥200 or ≥14%	≥200 or ≥14%	≥500 for six months prior to organ harvest.	If history of OI, • ≥200. If no history of OI, • ≥200 (kidney). • ≥100 (liver). CD4+ T-cell count measured within 16 weeks of transplantation.
Plasma HIV RNA viral load (copies/mL).	No requirement	<50 AND No measurement >1000 over preceding 12 months.	<50	<50 *
Opportunistic infection	No active OI	No active OI	Currently, ... • No active OI. ..... Historically, no, ... • Chronic cryptosporidiosis.. • CNS lymphoma. ..... • PML..	

* Patients who are unable to tolerate ART due to organ failure or who have only recently started ART may have detectable viral load and still be considered eligible if the study team is confident there will be an effective antiretroviral regimen for the patient once organ function is restored after transplantation.

3 Transplant Hospital Criteria

Expertise in the management of individuals with HIV infection is essential for this research. A transplant hospital participating in HIV+ to HIV+ transplantation must include experts in the field of transplantation as well as experts in the management of HIV infection working collaboratively as a part of a study team.

3.1 Specific Transplant Hospital Criteria

i. An established program for the care of individuals infected with HIV.

ii. In order for a transplant hospital to initiate HIV+ to HIV+ transplantation, there must be a study team consisting of (at a minimum) a transplant surgeon, a transplant physician, and an HIV physician, each of whom have experience with at least 5 HIV − to HIV+ transplants with the designated organ(s) over the last four years. This constitutes the minimal experience necessary, and the IRB should evaluate key personnel (transplant surgeon, transplant physician, and HIV physician) in the context of total expertise and experience with respect to HIV and/or organ transplantation.

iii. Defined SOPs and training for the procurement team and implanting team regarding the following issues:

a. Donor evaluation;

b. Organ recovery;

c. Handling, processing, packaging, shipping, and transporting of blood, lymph nodes, tissues, and organs to and/or within the transplant hospital;

d. Transplant procedure.

iv. Transplant hospitals with an IRB-approved research protocol in HIV+ to HIV+ transplantation must report to the OPTN organ-specific acceptance criteria for organs from HIV+ donors.

v. Transplant hospitals with an IRB-approved research protocol in HIV+ to HIV+ transplantation with HIV+ candidates on the wait list willing to accept an HIV+ organ should specify any additional acceptance criteria to the OPO.

vi. The transplant hospital must verify the accuracy of the donor and recipient HIV status.

vii. Defined SOPs and training regarding an institutional biohazard plan, which outlines the measures taken to prevent and manage inadvertent exposure and/or transmission of HIV.

viii. Defined policies and SOPs for governing the necessary knowledge, experience, skills, and training for independent advocates.

3.2 Independent Advocates

A transplant program conducting research in HIV+ to HIV+ transplantation under these research criteria must provide each living donor and recipient with an ''Independent Advocate'' (as defined in CMS regulations at 42 CFR 482.98(d).

In the setting of living donor transplantation, the recipient and the living donor must each have his or her own advocate. Each advocate must be independent of the research team and must have knowledge and experience with both HIV infection and organ transplantation. In addition, in the setting of a living donor transplant, there must be two independent advocates, one for the donor and another for the recipient.

At a minimum, transplant hospitals conducting research in HIV+ to HIV+ transplantation shall develop policies and procedures addressing the role, knowledge, and experience of independent advocates in the setting of HIV infection, transplantation, medical ethics, informed consent, and the potential impact of external pressure on the HIV+ recipient's decision, and HIV+ living donor's decision (if applicable) about whether to enter the HIV+ to HIV+ transplant research study.

3.2.1 Independent HIV+ Recipient Advocate

Transplant programs performing HIV+ recipient transplantations must designate and provide each HIV+ recipient and prospective HIV+ recipient with an independent advocate who is responsible for protecting and promoting the rights and interests of the HIV+ recipient (or prospective recipient). The independent advocate for the HIV+ recipient must:

i. Promote and protect the interests of the HIV+ recipient (including with respect to having access to a suitable HIV − organ if it becomes available); and take steps to ensure that the HIV+ recipient's decision is informed and free from external pressure.

ii. Review whether the potential HIV+ recipient has received information regarding the results of SOT in general and transplantation in HIV-infected recipients in particular; and the unquantifiable risks of transmission of HIV, OIs, ART resistance, and accelerated kidney, liver, and cardiovascular disease in HIV+ recipients of HIV+ donor organs.

iii. Demonstrate knowledge of HIV infection and transplantation.

3.2.2 Independent HIV+ Living Donor Advocate

Transplant programs performing HIV+ donor transplantations must designate and provide each living HIV+ donor and living prospective HIV+ donor with an independent advocate who is responsible for promoting and protecting the rights and interests of the HIV+ donor (or prospective donor). More specifically, the independent advocate for the HIV+ living donor must:

i. Promote and protect the interests of the HIV+ donor (including with respect to having ample opportunity to withdraw consent from donation); and take steps to ensure that the HIV+ donor's decision is informed and free from external pressure.

ii. Review whether the potential HIV+ donor has received information regarding (a) risks of organ donation in general, as well as the additional potential risks that are the specific to the HIV+ donor, including accelerated organ failure, and limitations of future use of specific antiretroviral agents; and (b) the unknown outcome of HIV+ to HIV+ organ transplantation.

iii. Demonstrate knowledge of HIV infection and transplantation.

4 OPO Responsibilities

Clinical research in HIV+ to HIV+ organ transplantation requires a partnership between OPOs and transplant programs. OPOs participating in research of HIV+ to HIV+ organ transplantation must adhere to the following criteria:

i. Develop SOPs and staff training procedures to effectively work with the family and friends of HIV+ subjects in history taking, medical record abstraction, HIV clinic and pharmacy medical record telephone abstraction, obtaining research consent from next of kin to HIV+ subjects, performing physical examination of HIV+ subjects, collecting blood, tissue, and other biospecimens (*e.g.,* urine, bronchoalveolar lavage, spleen, lymph nodes, and biopsy material), handling, processing, storing, and shipping.

ii. Conduct training in obtaining relevant and pertinent HIV+ history, duration of HIV infection, opportunistic infections and their therapy, risk factors for HIV, CD4+ T-cell counts (lows and highs), HIV resistance, ART medication history use and response, history of ART resistance, present ART, HIV viral loads, and HIV genotype and tropism.

iii. Develop a biohazard plan to prevent and manage exposure to or transmission of HIV.

These criteria are in addition to, not in place of, current policies and federal regulations governing organ transplantation and research that pertains to OPOs.

5 Prevention of Inadvertent Transmission of HIV

Although the use of HIV-positive organs may help alleviate transplant shortages and reduce patient waiting list times, there also are patient safety concerns to consider. Prevention or management of inadvertent transmission or exposure of an HIV-recipient to organs or tissues from an HIV+ donor due to identification error is paramount (Ison, 2011). The transplant community, with regulatory oversight at multiple levels, has been able to achieve a high level of safety through routine procedures and clinical practice. The precautions taken with ABO compatible donor-recipient pairs and HCV-infected donor organs in HCV-infected recipients (Morales, 2010; Kucirka, 2010; Mandal, 2000; Tector, 2006) are existing models. However, vulnerabilities still exist, and mishaps still occur. For instance, the risks of error during manual transcription of information are well documented.

Each transplant hospital shall develop an institutional biohazard plan for handling of HIV+ organs (*e.g.,* organ quarantine measures, electronic information capture on infectious disease testing results, communication protocols between OPOs and transplant hospitals) that is designed to prevent and/or manage inadvertent transmission of or exposure to HIV.

Tissues (*e.g.,* cornea, blood vessels, or cartilage) not associated with the organ to be transplanted and organs are often recovered from organ donors. The FDA regulates human cells, tissues, and cellular and tissue-based products (HCT/Ps) that are intended for implantation, transplantation, infusion, or transfer into a human recipient under the authority of section 361 of the Public Health Service Act and the implementing regulations in 21 CFR part 1271. Under 21 CFR part 1271, persons with risk factors for, or clinical evidence of, relevant communicable diseases, or whose test results are positive or reactive for relevant communicable diseases (including HIV) are ineligible to donate HCT/Ps. Procedures must be in place to ensure that HCT/Ps are not recovered from HIV-positive donors for implantation, transplantation, infusion, or transfer into a human recipient; however, HCT/Ps from a donor who has been determined to be ineligible may be made available for nonclinical purposes.

6 Study Design, Required Outcome Measures

There is a wide range of clinical and immunologic questions that might be addressed in the context of research in HIV+ to HIV+ transplantation. These include, for example, questions related to HIV superinfection; incidence and severity of OIs (including transmission of occult OIs from donor to recipient); immunologic mechanisms contributing to the increased rate of kidney rejection observed in HIV+ recipients; quality of life for recipients of HIV+ to HIV+ transplantation; outcomes of living HIV+ donors; and a host of others. The questions will be determined by the investigators who design research protocols for studying HIV+ to HIV+ transplantation. However, to ensure that all studies of HIV+ to HIV+ transplantation can contribute to evaluation of the safety of the procedure, the following key donor and recipient characteristics and outcome measures must be incorporated into the design of all clinical trials of HIV+ to HIV+ transplantation.

6.1 Wait List Candidates

- HIV status
- CD4+ T-cell count
- Co-infection (HCV, HBV)
- HIV viral load
- ART resistance
- Removal from wait list (death or other reason)
- Time on wait list

6.2 Donors (all)

- Type (living or deceased)
- HIV status (HIV+ new diagnosis, HIV+ known diagnosis)
- CD4+ T-cell count
- Co-infection (HCV, HBV)
- HIV viral load
- ART resistance

6.3 Living Donors (12 months following organ donation)

- Progression to renal insufficiency in kidney donors (serum creatinine > 2 mg/dL, serum creatinine level twice the pre-donation creatinine level, or proteinuria).

- Progression to hepatic insufficiency in liver donors (INR > 1.5 and/or total bilirubin > 2.0)
- Change in ART regimen as a result of decreased organ function
- Progression to AIDS
- Failure to suppress viral replication (persistent viremia)
- Death

6.4 Transplant Recipients

- Rejection rate (Years 1 and 2)
- Progression to AIDS
- New OIs
- Failure to suppress viral replication (persistent viremia)
- HIV-associated organ failure
- Malignancy
- Graft failure
- Mismatched ART resistance versus donor
- Death

References

1. Bertani A., Grossi P., Vitulo P., et al. (2009). Successful lung transplantation in an HIV- and HBV-positive patient with cystic fibrosis. *Am J Transplant,* 9, 2190–2196.
2. Bisleri G., Morgan J. A., Deng M. C., et al. (2003). Should HIV-positive recipients undergo heart transplantation? *J Thorac Cardiovasc Surg,* 126, 1639–1640.
3. Blumberg, E. A., & Stock, P. (2009). Solid organ transplantation in the HIV-infected patient. *Am J Transplant,* 9 Suppl 4, S131–135.
4. Blumberg, E. A., & Rogers, C. C. (2013). Human immunodeficiency virus in solid organ transplantation. *Am J Transplant,* 13 Suppl 4, 169–178.
5. Blumberg, E. A., Ison, M. G., Pruett, T. L., & Segev, D. L. (2013). Optimal testing of the live organ donor for blood-borne viral pathogens: The report of a consensus conference. *Am J Transplant,* 13(6), 1405–1415.
6. Boyarsky, B. J., Hall, E. C., Singer, A. L., Montgomery, R. A., Gebo, K. A., & Segev, D. L. (2011). Estimating the potential pool of HIV-infected deceased organ donors in the United States. *Am J Transplant,* 11(6), 1209–1217.
7. Brucato, A., Colombo, T., Bonacina, E., et al. (2004). Fulminant myocarditis during HIV seroconversion: Recovery with temporary left ventricular mechanical assistance. *Ital Heart J,* 5, 228–231.
8. Calabrese L. H., Albrecht M., Young J., et al. (2003). Successful cardiac transplantation in an HIV–1-infected patient with advanced disease. *N Engl J Med,* 348, 2323–2328.
9. Castel M. A., Pérez-Villa F., Roig E., & Miró J. M. (2011a). Heart transplantation in an HIV–1-infected patient with ischemic cardiomyopathy and severe pulmonary hypertension. *Rev Esp Cardiol,* 64, 1066–1067.
10. Castel M. A., Pérez-Villa F., & Miró J. M. (2011b). Heart transplantation in HIV-infected patients: More cases in Europe. *J Heart Lung Transplant,* 30, 1418.
11. Chen, J. Y., Feeney, E. R., & Chung, R. T. (2014). HCV and HIV co-infection: Mechanisms and management. *Nat Rev Gastroenterol Hepatol,* 11(6), 362–371.
12. Cooper, C., Kanters, S., Klein, M., Chaudhury, P., Marotta, P., Wong, P., et al. (2011). Liver transplant outcomes in HIV-infected patients: A systematic review and meta-analysis with synthetic cohort. *AIDS,* 25(6), 777–786.
13. Dieterich D.T. (2007). Special considerations and treatment of patients with HBV–HIV coinfection. *Antivir Ther,* 12, H43–H51.
14. Duclos-Vallee, J. C., Falissard, B., & Samuel, D. (2011). Liver transplant outcomes in HIV-infected patients: A systematic review and meta-analysis with a synthetic cohort. *AIDS,* 25(13), 1675–1676.
15. Durante-Mangoni E., Maiello C., & Sbreglia C. (2011). A European first: Successful heart transplant in a human immunodeficiency virus-positive recipient. *J Heart Lung Transplant,* 30, 845.
16. Durante-Mangoni E., Maiello C., Limongelli G., et al. (2014). Management of immunosuppression and antiretroviral treatment before and after heart transplant for HIV-associated dilated cardiomyopathy. *Int J Immunopathol Pharmacol,* 27(1), 113–120.
17. FDA. Eligibility Determination for Donors of Human Cells, Tissues, and Cellular and Tissue-Based Products. Final Rule; 69 FR 29786.
18. Fieno D. S., Czer L. S., Schwarz E. R., et al. (2009). Left ventricular assist device placement in a patient with end-stage heart failure and human immunodeficiency virus. *Interact Cardiovasc Thorac Surg,* 9, 919–920.
19. Fofana I., Jilg N., Chung R. T., & Baumert T. F. (2014). Entry inhibitors and future treatment of hepatitis C. *Antiviral Research,* 104, 136–142.
20. Fox, A. N., Vagefi, P. A., & Stock, P. G. (2012). Liver transplantation in HIV patients. *Semin Liver Dis*, 32(2), 177–185.
21. Frassetto L. A., Browne M., Cheng A., et al. (2007). Immunosuppressant pharmacokinetics and dosing modifications in HIV–1 Infected liver and kidney transplant recipients. *Am J Transplant,* 7(12), 2816–2820.
22. Frassetto, L. A., Tan-Tam, C., & Stock, P. G. (2009). Renal transplantation in patients with HIV. *Nat Rev Nephrol,* 5(10), 582–589.
23. Frassetto, L. A., Tan-Tam, C. C., Barin, B., Browne, M., Wolfe, A. R., Stock, P. G., et al. (2014). Best Single Time Point Correlations With AUC for Cyclosporine and Tacrolimus in HIV-Infected Kidney and Liver Transplant Recipients. *Transplantation,* 97(6), 701–707.
24. Genovese, G., Friedman, D. J., Ross, M. D., Lecordier, L., Uzureau, P., Freedman, B. I., et al. (2010). Association of trypanolytic APOL1 variants with kidney disease in African Americans. *Science,* 329(5993), 841–845.
25. Gomez, V., Fernandez, A., Galeano, C., Oliva, J., Diez, V., Bueno, C., et al. (2013). Renal transplantation in HIV-infected patients: Experience at a tertiary hospital in Spain and review of the literature. *Transplant Proc,* 45(3), 1255–1259.
26. Grossi, P. A. (2012). Update in HIV infection in organ transplantation. *Curr Opin Organ Transplant,* 17(6), 586–593.
27. Harbell, J., Terrault, N. A., & Stock, P. (2013). Solid organ transplants in HIV-infected patients. *Curr HIV/AIDS Rep,* 10(3), 217–225.
28. Humbert M., Sitbon O., Chaouat A., et al. (2006). Pulmonary arterial hypertension in France: Results from a national registry. *Am J Respir Crit Care Med,* 173, 1023.
29. Huprikar, S. (2009). Solid organ transplantation in HIV-infected individuals: An update. *Rev Med Virol,* 19(6), 317–323.
30. Ison, M. G., Hager, J., Blumberg, E., Burdick, J., Carney, K., Cutler, J., et al. (2009). Donor-derived disease transmission events in the United States: Data reviewed by the OPTN/UNOS Disease Transmission Advisory Committee. *Am J Transplant,* 9(8), 1929–1935.
31. Ison, M. G., Llata, E., Conover, C. S., Friedewald, J. J., Gerber, S. I., Grigoryan, A., et al. (2011). Transmission of human immunodeficiency virus and hepatitis C virus from an organ donor to four transplant recipients. *Am J Transplant,* 11(6), 1218–1225.

32. Ison, M. G., & Nalesnik, M. A. (2011). An update on donor-derived disease transmission in organ transplantation. *Am J Transplant,* 11(6), 1123–1130.
33. Kern R. M., Seethamraju H., Blanc P. D., et al. (2014). The feasibility of lung transplantation in HIV seropositive patients. *Annals ATS* (in press, online).
34. Kern, R., Seethamraju, H., Blanc, P., Sinha, N., Loebe, M., Golden, J., et al. (2014). Lung Transplantation in HIV Seropositive Patients. *Chest,* 145(3 Suppl), 642A.
35. Kim, D., Ziebell, R., Sadulvala, N., Kline, R., Ocfemia, C., Prejean, J., et al. (2013). Trends in Transmitted Drug Resistance Associated Mutations: 10 HIV Surveillance Areas, US, 2001–2010. Paper presented at the 20th Conference on Retroviruses and Opportunistic Infections.
36. Kim W. R., Smith J. M., Skeans M. A., et al. (2014). OPTN/SRTR 2012 Annual Data Report: Liver. *Am J Transplant,* 1, 69–96.
37. Kucirka L. M., Singer A. L., Ross R. L., et al. (2010). Underutilization of hepatitis C-positive kidneys for hepatitis C-positive recipients. *Am J Transplant,* 10(5), 1238–1246.
38. Liang, T. J., & Ghany, M. G. (2013). Current and future therapies for hepatitis C virus infection. *N Engl J Med,* 368(20), 1907–1917.
39. Locke, J. E., James, N. T., Mannon, R. B., Mehta, S. G., Pappas, P. G., Baddley, J. W., et al. (2014b). Immunosuppression Regimen and the Risk of Acute Rejection in HIV-Infected Kidney Transplant Recipients. *Transplantation,* 97(4), 446–450.
40. Mandal A. K., Kraus E.S., Samaniego M., et al. (2000). Shorter waiting times for hepatitis C virus seropositive recipients of cadaveric renal allografts from hepatitis C virus seropositive donors. *Clin Transplant,* 14, 391–396.
41. Mascolini, M. (2014). Four to Five HIV+ Dying in Care Yearly in Philadelphia Are Potential Organ Donors. 54th Interscience Conference on Antimicrobial Agents and Chemotherapy: Abstract H–1199a. Presented September 7, 2014.
42. Matas A. J., Smith J. M., Skeans M. A., et al. (2014) OPTN/SRTR 2012 Annual Data Report: kidney. *Am J Transplant,* 1, 11–44.
43. Megens, S., & Laethem, K. V. (2013). HIV–1 genetic variation and drug resistance development. *Expert Rev Anti Infect Ther,* 11(11), 1159–1178.
44. Mehmood S., Blais D., Martin S., & Sai-Sudhakar C. (2009). Heartmate XVE destination therapy for end-stage heart failure in a patient with human immunodeficiency virus. *Interact Cardiovasc Thorac Surg,* 9, 909–910.
45. Mehta N. J., Khan I. A., Mehta R. N., et al. (2000). HIV-related pulmonary hypertension: Analytic review of 131 cases. *Chest,* 118, 1133.
46. Mgbako, O., Glazier, A., Blumberg, E., & Reese, P. P. (2013). Allowing HIV-positive organ donation: Ethical, legal and operational considerations. *Am J Transplant,* 13(7), 1636–1642.
47. Miro, J. M., Montejo, M., Castells, L., Rafecas, A., Moreno, S., Aguero, F., et al. (2012). Outcome of HCV/HIV-coinfected liver transplant recipients: A prospective and multicenter cohort study. *Am J Transplant,* 12(7), 1866–1876.
48. Morales, J. M., Campistol, J. M., Dominguez-Gil, B., Andres, A., Esforzado, N., Oppenheimer, F., et al. (2010). Long-term experience with kidney transplantation from hepatitis C-positive donors into hepatitis C-positive recipients. *Am J Transplant,* 10(11), 2453–2462.
49. Moreno A., Cervera C., Fortun J., et al. (2012). Epidemiology and outcome of infections in human immunodeficiency virus/hepatitis C virus-coinfected liver transplant recipients: A FIPSE/GESIDA prospective cohort study. *Liver Transplant,* 18, 70–81.
50. Muller, E., Kahn, D., & Mendelson, M. (2010). Renal transplantation between HIV-positive donors and recipients. *N Engl J Med,* 362(24), 2336–2337.
51. Muller, E., Barday, Z., Mendelson, M., & Kahn, D. (2012). Renal transplantation between HIV-positive donors and recipients justified. *S Afr Med J,* 102(6), 497–498.
52. Neuhaus J., Angus B., Kowalska J. D., et al. (2010). Risk of all-cause mortality associated with nonfatal AIDS and serious non-AIDS events among adults infected with HIV. *AIDS,* 24(5), 697–706.
53. OPTN Policies and Bylaws. From *http://optn.transplant.hrsa.gov/policiesandbylaws/policies.asp.*
54. Pais R. & Benhamou Y. (2010). Long-term therapy for chronic hepatitis B in HIV co-infected patients. *Gastroenterol Clin Biol,* 34, 136–41.
55. Pelletier S. J., Norman S. P., Christensen L. L., et al. (2004). Review of transplantation in HIV patients during the HAART era. *Clin Transpl,* 63–82.
56. Petrosillo N., Chinello P., & Cicalini S. (2006). Pulmonary hypertension in individuals with HIV infection. *AIDS,* 20, 2128.
57. Prevention, C. f. D. C. a. (2013). HIV Surveillance Supplemental Report.
58. Ragni M. V., Dodson S. F., Hunt S. C., et al. (1999). Liver transplantation in a hemophilia patient with acquired immunodeficiency syndrome. *Blood,* 93, 1113–1114.
59. Redd A. D., Quinn T. C., Tobian A. A. (2013). Frequency and implications of HIV superinfection. *Lancet Infect Dis,* 13(7), 622–628.
60. Reeves-Daniel A. M., DePalma J. A., Bleyer A. J., Rocco M. V., Murea M., Adams P. L., et al. (2011). The APOL1 Gene and Allograft Survival after Transplantation. *Am J Transplant,* 11(5), 1025–1030.
61. Roland, M., Carlson, L., & Stock, P. (2002). Solid organ transplantation in HIV-infected individuals. *AIDS Clin Care,* 14(7), 59–63.
62. Roland, M. E., Adey, D., Carlson, L. L., & Terrault, N. A. (2003). Kidney and liver transplantation in HIV-infected patients: Case presentations and review. *AIDS Patient Care STDS,* 17(10), 501–507.
63. Roland, M. E., Lo, B., Braff, J., & Stock, P. G. (2003a). Key clinical, ethical, and policy issues in the evaluation of the safety and effectiveness of solid organ transplantation in HIV-infected patients. *Arch Intern Med,* 163(15), 1773–1778.
64. Roland, M. E., & Stock, P. G. (2003b). Review of solid-organ transplantation in HIV-infected patients. *Transplantation,* 75(4), 425–429.
65. Sherman K.E., Thomas D., & Chung R.T. (2014). Human immunodeficiency virus and liver disease forum 2012. *Hepatology,* 59(1), 307–317.
66. Sims D.B., Uriel N., González-Costello J., et al. (2011). Human immunodeficiency virus infection and left ventricular assist devices: A case series. *J Heart Lung Transplant,* 30, 1060–1064.
67. Soriano V., Tuma P., Labarga P., et al. (2009). Hepatitis B in HIV patients: What is the current treatment and what are the challenges? *J HIV Ther,* 14(1), 13–18.
68. Stock, P.G., Barin, B., Murphy, B., Hanto, D., Diego, J.M., Light, J., et al. (2010). Outcomes of kidney transplantation in HIV-infected recipients. *N Engl J Med,* 363(21), 2004–2014.

69. Taege A. (2013). Organ transplantation and HIV progress or success? A review of current status. *Curr Infect Dis Rep,* 15, 67–76.
70. Tector A.J., Mangu R.S., Chestovich P., et al. (2006). Use of extended criteria livers decreases wait time for liver transplantation without adversity impacting posttransplant survival. *Ann Surg,* 244, 439–450.
71. Terrault, N.A., Roland, M.E., Schiano, T., Dove, L., Wong, M.T., Poordad, F., et al. (2012). Outcomes of liver transplant recipients with hepatitis C and human immunodeficiency virus coinfection. *Liver Transpl,* 18(6), 716–726.
72. Touzot, M., Pillebout, E., Matignon, M., Tricot, L., Viard, J.P., Rondeau, E., et al. (2010). Renal transplantation in HIV-infected patients: The Paris experience. *Am J Transplant,* 10(10), 2263–2269.
73. Uriel N., Jorde U.P., Cotarlan V., et al. (2009). Heart transplantation in human immunodeficiency virus-positive patients. *J Heart Lung Transplant,* 28, 667–669.
74. Uriel N., Nahumi N., Colombo P.C., et al. (2014). Advance heart failure in patients infected with human immunodeficiency virus: Is there equal access to care? *J Heart Lung Transplant* (in press, online).
75. Wada, N., Jacobson, L.P., Cohen, M., French, A., Phair, J., & Munoz, A. (2013). Cause-specific life expectancies after 35 years of age for human immunodeficiency syndrome-infected and human immunodeficiency syndrome-negative individuals followed simultaneously in long-term cohort studies, 1984–2008. *Am J Epidemiol,* 177(2), 116–125.
76. Wada, N., Jacobson, L.P., Cohen, M., French, A., Phair, J., & Munoz, A. (2014). Cause-specific mortality among HIV-infected individuals, by CD4 (+) cell count at HAART initiation, compared with HIV-uninfected individuals. *AIDS,* 28(2), 257–265.
77. Yoon, S.C., Hurst, F.P., Jindal, R.M., George, S.A., Neff, R.T., Agodoa, L.Y., et al. (2011). Trends in renal transplantation in patients with human immunodeficiency virus infection: An analysis of the United States renal data system. *Transplantation,* 91(8), 864–868.

Dated: June 12, 2015

Francis S. Collins,

Director, National Institutes of Health.

[FR Doc. 2015–15034 Filed 6–17–15; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Mandatory Guidelines for Federal Workplace Drug Testing Programs; Request for Information Regarding Specific Issues Related to the Use of the Hair Specimen for Drug Testing

AGENCY: Substance Abuse and Mental Health Services Administration (SAMHSA), Department of Health and Human Services (DHHS).

ACTION: Request for information.

SUMMARY: This document is a request for information regarding specific aspects of the regulatory policies and standards that may be applied to the Mandatory Guidelines for Federal Workplace Drug Testing Programs (hair specimen). The original comment close date was June 29, 2015. We are extending the date to July 29, 2015 to allow for additional comments.

DATES: Comment Close Date: To be assured consideration, comments must be received at one of the addresses provided below on or before July 29, 2015.

ADDRESSES: Because of staff and resource limitations, we cannot accept comments by facsimile (FAX) transmission. You may submit comments in one of four ways (please choose only one of the ways listed):

Electronically: You may submit electronic comments to *http://www.regulations.gov*. Follow ''Submit a comment'' instructions.

By regular mail: You may mail written comments to the following address only: Substance Abuse and Mental Health Services Administration, Attention: Division of Workplace Programs, 1 Choke Cherry Road, Room 7–1029, Rockville, MD 20857. Please allow sufficient time for mailed comments to be received before the close of the comment period.

By express or overnight mail: You may send written comments to the following address only: Substance Abuse and Mental Health Services Administration, Attention: Division of Workplace Programs, 1 Choke Cherry Road, Room 7–1029, Rockville, MD 20850.

By hand or courier: Alternatively, you may deliver (by hand or courier) your written comments only to the following address prior to the close of the comment period:

For delivery in Rockville, MD: Substance Abuse and Mental Health Services Administration, Attention: Division of Workplace Programs, 1 Choke Cherry Road, Room 7–1029, Rockville, MD 20850. To deliver your comments to the Rockville address, call telephone number (240) 276–2600 in advance to schedule your delivery with one of our staff members. Because access to the interior of the Substance Abuse and Mental Health Services Administration Building is not readily available to persons without federal government identification, commenters are encouraged to either schedule your drop off or leave your comments with the security guard in the main lobby of the building.

FOR FURTHER INFORMATION CONTACT: Sean Belouin, Division of Workplace Programs, Center for Substance Abuse Prevention (CSAP), SAMHSA, 1 Choke Cherry Road, Room 7–1029, Rockville, Maryland 20857, (240) 276–2716 (phone), (240) 276–2610 (Fax), or email at *sean.belouin@samhsa.hhs.gov*.

SUPPLEMENTARY INFORMATION: Inspection of Public Comments: All comments received before the close of the comment period are available for viewing by the public, including any personally identifiable or confidential business information that is included in a comment. We post all comments received before the close of the comment period on the following Web site as soon as possible after they have been received: *http://www.regulations.gov*. Follow the search instructions on that Web site to view public comments. Comments received by the deadline will also be available for public inspection at the Substance Abuse and Mental Health Services Administration, Division of Workplace Programs, 1 Choke Cherry Road, Rockville, MD 20850, Monday through Friday of each week from 8:30 a.m. to 4 p.m. To schedule an appointment to view public comments, phone (240) 276–2716.

I. *Background:* The Department of Health and Human Services (HHS) establishes the standards for Federal Workplace Drug Testing Programs under the authority of Section 503 of Public Law 100–71, 5 U.S.C. Section 7301, and Executive Order No. 12564. As required, HHS published the Mandatory Guidelines for Federal Workplace Drug Testing Programs (Guidelines) in the **Federal Register** on April 11, 1988 [53 FR 11979]. SAMHSA subsequently revised the Guidelines on June 9, 1994 [59 FR 29908], September 30, 1997 [62 FR 51118], November 13, 1998 [63 FR 63483], April 13, 2004 [69 FR 19644], and on November 25, 2008 [73 FR 71858]. On May 15, 2015, HHS published a notice of proposed revisions

to the mandatory guidelines which would provide federal executive branch agencies with the option of collecting and testing an oral fluid specimen in addition to urine specimen. The comment period concludes on July 14, 2015.

Section 503 of Public Law 100–71, 5 U.S.C. Section 7301 note, required the Department to establish scientific and technical guidelines and amendments in accordance with Executive Order 12564 and to publish Mandatory Guidelines which establish comprehensive standards for all aspects of laboratory drug testing and procedures, including standards that require the use of the best available technology for ensuring the full reliability and accuracy of drug tests and strict procedures governing the chain of custody of specimens collected for drug testing. These revisions to the Mandatory Guidelines promote and establish standards that use the best available technology for ensuring the full reliability and accuracy of drug tests, while reflecting the ongoing process of review and evaluation of legal, scientific, and societal concerns.

SAMHSA's chartered CSAP Drug Testing Advisory Board (DTAB) is the vehicle to provide recommendations to the SAMHSA Administrator for proposed changes to the Mandatory Guidelines for Federal Workplace Drug Testing Programs. The DTAB process involves evaluating the scientific supportability of any considered change. To assist the DTAB, we are soliciting written comments and statements from the general public and industry stakeholders regarding a variety of issues related to hair specimen drug testing, including the hair specimen, its collection, specimen preparation, analytes/cutoffs, specimen validity, and initial and confirmatory testing.

II. *Solicitation of Comments:* We are seeking additional information to inform potential use of hair specimens for drug testing, specifically on the following questions:

Hair Specimen

- What are the acceptable body locations from which to collect hair for workplace drug testing? What should be done if head hair is not available for collection?
- What hair treatments (*i.e.,* shampoo, conditioning, perm, relaxers, coloring, bleaching, straightening, hair transplant) influence drug concentration in hair and to what degree?
- What are the acceptable reasons for hair testing (*i.e.,* pre-employment, random, reasonable suspicion, post-accident, other (fitness for duty, return to duty, etc.))?

Collection

- What training should a collector receive prior to collecting the hair specimen?
- What is the best protocol to collect the hair specimen?
- Should the hair collection protocol be standardized, including specific instructions on how close to cut the hair specimen to the skin, how to determine the authenticity of the hair specimen, what cutting instruments to use, how to ensure the cutting instruments are decontaminated, and whether the use of collection kits should be required?
- What is the minimum amount of hair that should be collected?

Specimen Preparation

- What are acceptable protocols for hair specimen preparation, such as cutting/powdering, initial washing, decontamination, and pre-extraction (*i.e.,* digestion, micro pulverization, etc.)?
- Should the washing and decontamination procedures be analyte specific?
- What criteria should be used to determine the acceptability of a specific wash and decontamination procedure? Are there published research studies, with experimental data included, that demonstrate that a particular wash procedure is effective at removing external contaminants while not significantly affecting the amount of incorporated drug related to drug use?
- If washing steps are used for decontamination, should adjustments be made for drug concentrations detected in the wash fluids? What calculations are recommended for these adjustments?

Analytes/Cutoffs

- What analytes should be measured in hair by the initial and confirmatory tests?
- What initial and confirmation cutoffs should be used for the various hair drug testing analytes?
- For each analyte/drug, what criteria (cutoff) should be used to distinguish external contamination from drug use?
- What unique metabolites or other biomarkers exist to confirm use and to distinguish drug use from external contamination for which the drugs are currently tested?

Specimen Validity

- Are biomarkers or tests needed to verify that the specimen is authentic human hair?
- Are there appropriate biomarkers or tests for the hair specimen that would reveal adulteration and/or substitution? What are the acceptability criteria for these biomarkers or tests?
- Is the ''invalid'' result category reasonable for hair testing? If so, what criteria are acceptable to classify a specimen result as invalid?

Testing

- What technologies are available to perform initial and confirmatory testing on hair specimens?
- What is the best sample for valid quality control/proficiency testing material? How should this quality control/proficiency testing material be prepared? What is the best method to prepare a contaminated hair sample versus a sample that represents drug use?

Janine Cook,

Chemist, Division of Workplace Programs, Center for Substance Abuse and Prevention, SAMHSA.

[FR Doc. 2015–14964 Filed 6–17–15; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2010–1066]

Recreational Boating Safety Projects, Programs, and Activities Funded Under Provisions of the Transportation Equity Act for the 21st Century; Fiscal Year 2014

ACTION: Notice.

SUMMARY: In 1999, the Transportation Equity Act for the 21st Century made $5 million per year available for the payment of Coast Guard expenses for personnel and activities directly related to coordinating and carrying out the national recreational boating safety program. In 2005, the law was amended, and the amount was increased to $5.5 million. The Coast Guard is publishing this notice to satisfy a requirement of the Act that a detailed accounting of the projects, programs, and activities funded under the national recreational boating safety program provision of the Act be published annually in the **Federal Register**. This notice specifies the funding amounts the Coast Guard has committed, obligated, or expended during fiscal year 2014, as of September 30, 2014.

FOR FURTHER INFORMATION CONTACT: For questions on this notice, call Jeff Ludwig, Regulations Development Manager, telephone 202–372–1061.

SUPPLEMENTARY INFORMATION:

Background and Purpose

The Transportation Equity Act for the 21st Century became law on June 9, 1998 (Pub. L. 105–178; 112 Stat. 107). The Act required that of the $5 million made available to carry out the national recreational boating safety program each year, $2 million shall be available only to ensure compliance with Chapter 43 of Title 46, U.S. Code. On September 29, 2005, the Sportfishing and Recreational Boating Safety Amendments Act of 2005 was enacted (Pub. L. 109–74; 119 Stat. 2031). This Act increased the funds available to the national recreational boating safety program from $5 million to $5.5 million annually, and stated that ''not less than'' $2 million shall be available only to ensure compliance with Chapter 43 of Title 46, U.S. Code.

These funds are available to the Secretary from the Sport Fish Restoration and Boating Trust Fund established under 26 U.S.C. 9504(a) for payment of Coast Guard expenses for personnel and activities directly related to coordinating and carrying out the national recreational boating safety program. Under 46 U.S.C. 13107(c), no funds available to the Secretary under this subsection may be used to replace funding traditionally provided through general appropriations, nor for any purposes except those purposes authorized; namely, for personnel and activities directly related to coordinating and carrying out the national recreational boating safety program. Amounts made available under 46 U.S.C. 13107(c) remain available during the two succeeding fiscal years. Any amount that is unexpended or unobligated at the end of the 3-year period during which it is available, shall be withdrawn by the Secretary and allocated to the States in addition to any other amounts available for allocation in the fiscal year in which they are withdrawn or the following fiscal year.

Use of these funds requires compliance with standard Federal contracting rules with associated lead and processing times resulting in a lag time between available funds and spending. The total amount of funding transferred to the Coast Guard from the Sport Fish Restoration and Boating Trust Fund and committed, obligated, and/or expended during fiscal year 2014 for each activity is shown below.

Specific Accounting of Funds

Manufacturer Compliance Inspection Program/Boat Testing Program: Funding was provided to continue the national recreational boat factory visit program, initiated in January 2001. During the Fiscal Year a new contract was awarded that revised the factory visit program into the Manufacturer Compliance Inspection Program. Under this revised program, contracted personnel, acting on behalf of the Coast Guard, visit recreational boat manufacturers, recreational boat dealers, and recreational boat shows to inspect for compliance with the Federal regulations. During the 2014 reporting year, inspectors performed 444 factory visits, 81 dealer visits, and 3 boat show visits resulting in 1,272 boats being inspected. Funding was also provided for testing of certain associated equipment and in-water testing of atypical and used recreational boats for compliance with capacity and flotation standards. ($1,521,108). Additional expenditures regarding this topic include Contract Personnel Support ($109,122) and Reimbursable Salaries ($146,248). Collectively, these expenditures are considered to be applicable to the legal requirement that ''not less than'' $2 million be available to ensure compliance with Chapter 43 of Title 46, U.S. Code.

Boating Accident Report Database (BARD) Web System: Funding was allocated to continue providing the BARD Web System, which enables reporting authorities in the 50 States, five U.S. Territories, and the District of Columbia to submit their accident reports electronically over a secure Internet connection. The system also enables the user community to generate statistical reports that show the frequency, nature, and severity of boating accidents. Funds supported system maintenance, development, and technical (hotline) support. ($379,946).

Contract Personnel Support: Funding was provided for contract personnel to support the appropriate cost/benefit analyses for potential new regulations and to conduct general boating safety-related research and analysis and to assist the manufacturer compliance program. ($582,061).

Reimbursable Salaries: Funding was provided to carry out the work as prescribed in 46 U.S.C. 13107(c) and as described herein. The first position was that of a professional mathematician/statistician to conduct necessary national surveys and studies on recreational boating activities as well as to serve as a liaison to other Federal agencies that are conducting boating surveys so that we can pool our resources and reduce costs. The second position was that of a Recreational Boating Safety Specialist/Marine Investigator with responsibilities that include overseeing and managing RBS projects related to carbon monoxide poisoning, propeller injury mitigation, and manufacturer compliance initiatives. The third position was that of a Legislative and Strategic Planning Manager, with responsibilities that include analyzing proposed and enacted legislation for RBS impacts, and managing the development and implementation of the National Recreational Boating Safety Program's strategic plan. The fourth position was that of a Division Administrative Assistant, with responsibilities that include providing administrative support for the Boating Safety Division. ($476,778).

Trust Fund Financial Assessment: Funding was made available to provide a professional assessment of the Coast Guard's stewardship of the financial resources provided through the Sport Fish Restoration and Boating Trust Fund. ($214,998).

Web site Support: Funding was made available for this initiative to provide a full range of public media and boating safety information at *http://www.uscgboating.org* for a worldwide audience. It covers a wide spectrum of boating safety related topics and is dedicated to reducing loss of life, injuries, and property damage that occur on U.S. waterways by improving the knowledge, skills, and abilities of recreational boaters. ($75,153).

Of the $5.5 million made available to the Coast Guard in fiscal year 2014, $2,116,374 has been committed, obligated, or expended and an additional $657,196 of prior fiscal year funds have been committed, obligated, or expended, as of September 30, 2014. The remainder of the FY14 funds made available to the Coast Guard (approximately $3,380,000) may be retained for the allowable period for the National Recreational Boating Survey or transferred into the pool of money available for allocation through the state grant program.

Authority

This notice is issued pursuant to 5 U.S.C. 552 and 46 U.S.C. 13107(c)(4).

Dated: June 12, 2015.

J.C. Burton,

Captain, U.S. Coast Guard, Director of Inspections & Compliance.

[FR Doc. 2015–14924 Filed 6–17–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Notice of Opportunity and Procedures To Request Assistance on Tariff Classification and Customs Valuation Treatment by Other Customs Administrations Affecting United States Exports

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: General notice.

SUMMARY: This document describes opportunities available to U.S. exporters to obtain assistance from U.S. Customs and Border Protection (CBP) to resolve matters concerning the tariff classification and customs valuation applied to U.S. exports by other governments. By publication of this notice, CBP invites U.S. exporters to submit requests for such assistance.

DATES: June 18, 2015.

ADDRESSES: Requests for assistance may be addressed to U.S. Customs and Border Protection, Office of International Trade, Regulations & Rulings, Attention: Commercial and Trade Facilitation Division, 90 K St. NE., 10th Floor, Washington, DC 20229–1177.

FOR FURTHER INFORMATION CONTACT: For tariff classification matters, please contact Jacinto Juarez, Tariff Classification and Marking Branch, at (202) 325–0027, or Greg Connor, Tariff Classification and Marking Branch, at (202) 325–0025. For matters involving customs valuation, please contact Yuliya Gulis, Valuation and Special Programs Branch, at (202) 325–0042.

SUPPLEMENTARY INFORMATION:

Background

U.S. Customs and Border Protection (CBP) has direct responsibility for enhancing U.S. economic competitiveness through the enforcement of the laws of the United States and the fostering of lawful international trade and travel. By reducing costs for industry and enforcing trade laws against counterfeit, unsafe, and fraudulently imported goods, CBP is working to facilitate legitimate trade, contribute to American economic prosperity, and protect against risks to public health and safety.

As part of CBP's mission to secure and facilitate lawful international trade, CBP applies a number of legal requirements to goods imported into the customs territory of the United States. In almost all cases, imported goods must be ''entered'' (that is, declared to CBP), and are subject to detention and examination by CBP officers to ensure compliance with all laws and regulations enforced and administered by CBP. As part of the entry process, goods must be classified under the Harmonized Tariff Schedule of the United States (HTSUS) and their customs value must be determined. CBP is responsible for fixing the final tariff classification and customs valuation of entered goods through a process called ''liquidation.'' In making classification and valuation determinations, CBP applies two international instruments: The Harmonized Commodity Description Coding System (also known as the Harmonized System (HS)), and the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade (GATT) 1994 (also known as the World Trade Organization (WTO) Agreement on Customs Valuation or the ''WTO Valuation Agreement''). Both international instruments share a similar goal of ensuring, at the technical level, a standard or uniform approach to the interpretation and application of tariff classification and valuation principles, respectively.

Tariff Classification

Pursuant to the International Convention on the Harmonized Commodity Description and Coding System (the ''HS Convention''), the World Customs Organization (WCO) developed the HS. The HS is an internationally-standardized product nomenclature used to classify traded products by name and number, and is intended to ensure, at the technical level, a uniform approach to the interpretation and application of tariff classifications. The WCO, established in 1952 as the Customs Co-operation Council (CCC), is an independent, intergovernmental body whose mission is to enhance the effectiveness and efficiency of customs administrations. The United States, along with 149 other countries and the European Union, is a contracting party to the HS Convention and uses the HS as a basis for its customs tariffs and the collection of international trade statistics.

Subtitle B of title I of the Omnibus Trade and Competitiveness Act of 1988 (Sec. 1201, Pub. L. 100–418, 102 Stat. 1147, Aug. 23, 1988 (19 U.S.C. 3001)) (the Act) provides for the approval and implementation in the United States of the tariff classification principles set forth in the HS Convention and its associated Harmonized System nomenclature. More specifically, the Act provides for congressional approval of U.S. accession to the HS Convention (section 1203), enactment of the HTSUS (section 1204), and the publication of foreign trade statistics in conformity with the HS nomenclature (section 1208). In addition, under section 1209, the United States Trade Representative (USTR) is made responsible for coordinating trade policy concerning the HS Convention.

Section 1210 of the Act provides that, subject to the policy direction of USTR, the Departments of Treasury and Commerce and the United States International Trade Commission (the Commission) shall have responsibility for formulating U.S. positions on technical and procedural issues relating to tariff classification under the HS Convention, and for representing the United States government at the WCO with respect thereto.

To foster international uniformity in tariff classification matters under the HS, contracting parties have vested the WCO with responsibility for securing uniform interpretation of the HS and its periodic updating in light of developments in technology and changes in trade patterns. *See* Article 7 of the HS Convention. The WCO manages this process through the Harmonized System Committee (HSC), a committee composed of contracting parties to the HS Convention which meets twice a year to examine policy matters, take decisions on classification questions, settle disputes, and prepare amendments to the HS nomenclature and its Explanatory Notes. In accord with procedures established by the WCO governing body (the WCO Council), the HSC also prepares amendments updating the HS every four to six years.

On November 10, 1988, the Office of the U.S. Trade Representative published in a **Federal Register** notice procedures to implement sections 1209 and 1210 of the Act. *See* 53 FR 45646. Therein, USTR designated the Treasury Department, represented at the time by legacy U.S. Customs Service (now CBP, as part of the Department of Homeland Security), to lead the U.S. delegation at meetings of the HSC at the WCO in Brussels, Belgium. Accordingly, Regulations and Rulings, within CBP's Office of International Trade, leads U.S. delegations at semi-annual meetings of the HSC at the WCO. CBP also serves with the Commission on U.S. delegations at meetings of the Harmonized System Review Subcommittee, which occur twice per year at the WCO.

Article 10 of the HS Convention provides that any dispute between contracting parties concerning the

interpretation or application of the HS Convention is to be settled by negotiation between the contracting parties to the extent possible. If this cannot be accomplished, the parties (that is, the governments concerned) are to refer the dispute to the HSC for its consideration and recommendations. The HSC, in turn, is to refer irreconcilable disputes to the WCO Council for its recommendations.

Customs Valuation

With respect to customs valuation, the WTO Valuation Agreement established a standard system for the valuation of imported goods. The WTO Valuation Agreement ensures that determinations of the customs value for the application of duty rates to imported goods are applied in a neutral and uniform manner, precluding the use of arbitrary or fictitious customs values. As one of 160 Members of the WTO, the United States uses the Valuation Agreement as the basis for proper customs valuation methodology.

Merchandise imported into the United States is appraised for customs purposes in accordance with Section 402 of the Tariff Act of 1930, as amended by the Trade Agreements Act of 1979 (19 U.S.C. 1401a) (TAA). Consistent with principles set forth in the WTO Valuation Agreement, the primary method of appraisement is transaction value, which is defined as ''the price actually paid or payable for the merchandise when sold for exportation to the United States,'' plus amounts for certain statutorily enumerated additions to the extent not otherwise included in the price actually paid or payable. *See* 19 U.S.C. 1401a(b)(1). When transaction value cannot be applied, then the appraised value is determined based on the other valuation methods in the order specified in 19 U.S.C. 1401a(a).

The WTO Valuation Agreement established the Technical Committee on Customs Valuation (TCCV), which operates under the auspices of the WCO, with a view to ensuring the uniform interpretation and application of internationally agreed upon customs valuation principles. The TCCV is responsible for the examination of technical problems arising in the day-to-day administration of the customs valuation systems of WTO Valuation Agreement signatories. In addition, the TCCV renders advisory opinions on appropriate solutions based upon the facts presented. The TCCV meets twice a year at the WCO to discuss issues concerning the interpretation and application of the WTO Valuation Agreement.

Pursuant to Annex II to the WTO Valuation Agreement, the United States has the right to be represented at the TCCV to examine specific problems arising from the administration of the customs valuation systems of Members. The United States, which currently serves as Chair to the TCCV, may nominate one delegate and one or more alternates to be its representatives on the TCCV at semi-annual meetings in Brussels. CBP represents the United States at the semi-annual meetings of the TCCV at the WCO.

Additionally, under Article 19 of the WTO Valuation Agreement, the United States may request consultation with a Member or Members if the U.S. considers any benefit to it under the Agreement is being nullified or impaired, or that the achievement of any objective of the Agreement is being impeded, directly or indirectly, as a result of the actions of another Member. Disputes arising under Article 19 of the WTO Valuation Agreement may be referred to the TCCV for an examination of any questions requiring technical consideration.

CBP Participation at Meetings of the Harmonized System Committee and the Technical Committee on Customs Valuation

Accordingly, at meetings of the HSC and TCCV at the WCO, the United States and other customs administrations participate and communicate regularly on issues concerning the interpretation and application of the HS and the WTO Valuation Agreement. Historically, it has been useful for CBP to conduct discussions with other customs administrations at the WCO with a view to reaching a common understanding and interpretation of these instruments. Such discussions can often serve to eliminate or resolve export issues for U.S. traders.

For example, in 2014 CBP was contacted by a U.S. exporter who believed that its textile article was being misclassified by another customs administration. The company brought to CBP's attention the analysis applicable to the merchandise under published CBP rulings available at *http://rulings.cbp.gov*. The company requested that CBP contact the foreign customs administration to resolve the tariff classification matter, and if the matter could not be resolved, the U.S. company requested that CBP refer the matter to the HSC at the WCO.

Within 30 days of receiving the technical assistance request, attorneys from the Tariff Classification and Marking Branch and import specialists from the National Commodity Specialist Division, within the Office of Regulations and Rulings (R&R), Office of International Trade reviewed the underlying classification issue and determined that the foreign customs administration's treatment of the merchandise was inconsistent with the proper interpretation of the HS. Following CBP's determination of the correct classification of the merchandise, R&R attorneys raised the issue bilaterally with the foreign customs administration and asked them to consider the matter.

Following this bilateral exchange, and within seven months of the initial technical assistance request, CBP secured a favorable decision by the foreign customs administration to classify the merchandise in a manner consistent with the U.S. position and as requested by the exporter. As a result of CBP's engagement with the foreign customs administration, the U.S. company was able to obtain the correct tariff treatment of its imported merchandise in the foreign country.

Inquiries Concerning Tariff Classification or Customs Valuation by Other Customs Administrations Affecting U.S. Exports

By publication of this notice, U.S. Customs and Border Protection emphasizes that opportunities exist to strengthen communication and coordination between industry, CBP, other customs administrations, and the WCO to advance the shared goal of facilitating international trade. Greater collaboration with industry promotes improved technical understanding among contracting parties and helps to foster uniformity in the interpretation and application of the HS Convention and WTO Valuation Agreement.

On matters involving non-uniform tariff classification or customs valuation treatment by other customs administrations, individual parties or firms do not have standing to initiate dispute settlement procedures or consultations under the HS Convention or the WTO Valuation Agreement. Consequently, for a U.S. individual or firm to raise a tariff classification or customs valuation dispute, that party must file an inquiry or complaint with the U.S. government and provide, or assist in the collection of, any information relating to the matter which may be required.

Accordingly, CBP hereby invites U.S. exporters to file with CBP requests for assistance in resolving any tariff classification or customs valuation treatment by other customs administrations affecting U.S. exports.

Of course, as a threshold technical matter, in order to provide the requested assistance, CBP must agree with the position of the exporter with regard to the specific matter brought to CBP's attention.

CBP will endeavor to provide an initial response to such requests within 60 days of their receipt. Thereafter, in cooperation with the appropriate agencies, CBP will consider the appropriate course of action, including but not limited to the initiation of consultations or dispute settlement at meetings of the HSC or TCCV at the WCO. The inquirer or complainant will be informed of the progress achieved in resolving the matter. Requests for assistance on tariff classification or customs valuation treatment by other customs administrations affecting U.S. exports should be addressed to U.S. Customs and Border Protection, Office of International Trade, Regulations & Rulings, Attention: Commercial and Trade Facilitation Division, 90 K St. NE., 10th Floor, Washington, DC 20229–1177.

Confidentiality

Information submitted by U.S. exporters concerning requests for assistance may, in some instances, include confidential commercial or financial information, the disclosure of which could result in competitive harm to the business submitter. Such information is, generally, protected under the provisions of the Freedom of Information Act (5 U.S.C. 552) (FOIA), the Privacy Act (5 U.S.C. 552a), and the Trade Secrets Act (18 U.S.C. 1905). If confidential treatment is requested, submitters should specifically designate the information it considers confidential. Such requests will be handled in accordance with CBP Regulations (19 CFR 103.35) regarding the protection of such information.

Dated: June 12, 2015.

Brenda B. Smith,

Assistant Commissioner, Office of International Trade.

[FR Doc. 2015–14968 Filed 6–17–15; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4222–DR; Docket ID FEMA–2015–0002 4222]

Amendment No. 4 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Oklahoma (FEMA–4222–DR), dated May 26, 2015, and related determinations.

DATES: *Effective Date:* June 4, 2015.

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 the incident period for this disaster is closed effective June 4, 2015.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2015–14978 Filed 6–17–15; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4224–DR; Docket ID FEMA–2015–0002]

Guam; 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 Guam (FEMA–4224–DR), dated June 5, 2015, and related determinations.

DATES: Effective June 5, 2015.

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 June 5, 2015, 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 Guam resulting from Typhoon Dolphin during the period of May 13–16, 2015, 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 Guam.

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 Public Assistance and Hazard Mitigation throughout the Territory. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation 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 Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Rosalyn L. Cole, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas have been designated as adversely affected by this major disaster:

The Territory of Guam for Public Assistance.

All areas within the Territory of Guam are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2015–14977 Filed 6–17–15; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2015–0002; Internal Agency Docket No. FEMA–4222–DR]

Oklahoma; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Oklahoma (FEMA–4222–DR), dated May 26, 2015, and related determinations.

DATES: *Effective Date:* June 3, 2015.

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 the incident period for this declared disaster is now May 5, 2015, and continuing.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2015–14979 Filed 6–17–15; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

[Docket No. TSA–2004–19147]

Extension of Agency Information Collection Activity Under OMB Review: Flight Training for Aliens and Other Designated Individuals; Security Awareness Training for Flight School Employees

AGENCY: Transportation Security Administration, DHS.

ACTION: 30-day notice.

SUMMARY: This notice announces that the Transportation Security Administration (TSA) has forwarded the Information Collection Request (ICR), Office of Management and Budget (OMB) control number 1652–0021, abstracted below to OMB for review and approval of an extension of the currently approved collection under the Paperwork Reduction Act (PRA). The ICR describes the nature of the information collection and its expected burden. TSA published a **Federal Register** notice, with a 60-day comment period soliciting comments, of the following collection of information on March 10, 2015, 80 FR 12647. The collection involves the submission of identifying information for background checks for all aliens and other designated individuals seeking flight instruction (''candidates'') from Federal Aviation Administration (FAA)-certificated flight training providers. Through the information collected, TSA will determine whether a candidate is a threat to aviation or national security, and thus prohibited from receiving flight training. Additionally, flight training providers are required to conduct a security awareness program for their employees and contract employees and to maintain records associated with this training.

DATES: Send your comments by July 20, 2015. A comment to OMB is most effective if OMB receives it within 30 days of publication.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, OMB. Comments should be addressed to Desk Officer, Department of Homeland Security/TSA, and sent via electronic mail to *oira_submission@omb.eop.gov* or faxed to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: Christina A. Walsh, TSA PRA Officer, Office of Information Technology (OIT), TSA–11, Transportation Security Administration, 601 South 12th Street, Arlington, VA 20598–6011; telephone (571) 227–2062; email *TSAPRA@tsa.dhs.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), 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. The ICR documentation is available at *http://www.reginfo.gov.* Therefore, in preparation for OMB review and approval of the following information collection, TSA is soliciting comments to—

(1) Evaluate whether the proposed information requirement is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Information Collection Requirement

Title: Flight Training for Aliens and Other Designated Individuals; Security Awareness Training for Flight School Employees.

Type of Request: Extension of a currently approved collection.

OMB Control Number: 1652–0021.

Forms(s): N/A.

Affected Public: Aliens and other designated individuals seeking flight instruction from FAA-certificated flight training providers; flight training providers required to conduct security awareness training and their employees.

Abstract: This information collection relates to regulations issued by TSA for

flight schools. The collection, under 49 CFR part 1552, subpart A, relates to the security threat assessments (STAs) that TSA requires to determine whether candidates are a threat to aviation or national security, and thus prohibited from receiving flight training. This collection of information requires Federal Aviation Administration (FAA)-certificated flight training providers to provide TSA with the information necessary to conduct the STAs. The collection, under 49 CFR part 1552, subpart B, relates to security awareness training for flight school employees and contract employees, which includes maintaining records of all such training.

Number of Responses: 54,900.

Estimated Annual Burden Hours: An estimated 547,100 hours annually.

Estimated Annual Cost Burden: $12,470,000.

Dated: June 12, 2015.

Christina A. Walsh,

TSA Paperwork Reduction Act Officer, Office of Information Technology.

[FR Doc. 2015–14976 Filed 6–17–15; 8:45 am]

BILLING CODE 9110–05–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R1–ES–2015–N079; FXES11120100000–156–FF01E00000]

Receipt of Enhancement of Survival Permit Applications Developed in Accordance With the Template Safe Harbor Agreement for the Columbia Basin Pygmy Rabbit

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of applications; request for comments.

SUMMARY: The Fish and Wildlife Service (Service) announces the receipt of nine Enhancement of Survival Permit applications that were developed in accordance with the Template Safe Harbor Agreement (Template SHA) for the Columbia Basin pygmy rabbit (*Brachylagus idahoensis*) and pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (Act). The nine permit applicants are: (1) Morris Farms; (2) Overen Living Trust; (3) North Ranches, LLC; (4) Baird Springs Environmental; (5) Buster Boruff, LLC; (6) Ms. Susan Chace; (7) Mr. Garey Clements; (8) Mr. Greg Lehr and Ms. Christine Lehr; and (9) Sandygren Properties Limited Partnership. Issuance of permits to these applicants would exempt incidental take of the Columbia Basin pygmy rabbit, which would otherwise be prohibited by section 9 of the Act, that is above the baseline conditions of properties enrolled under the Template SHA and that may result from the permittees' otherwise lawful land-use activities. The Service requests comments from the public regarding the proposed issuance of permits to these nine applicants.

DATES: To be fully considered, written comments from interested parties must be received on or before July 20, 2015.

ADDRESSES: To request further information or submit written comments, please use one of the following methods, and note that your information request or comments are in reference to the ''Pygmy Rabbit SHAA.''

- *Email: wfwocomments@fws.gov.* Include ''Pygmy Rabbit SHAA'' in the subject line of the message.
- *Fax:* 509–891–6748, Attn: Russ MacRae, Assistant Project Leader. Include ''Pygmy Rabbit SHAA'' in the subject line of the message.
- *U.S. Mail:* Russ MacRae, Assistant Project Leader, Eastern Washington Field Office, U.S. Fish and Wildlife Service, 11103 East Montgomery Drive, Spokane, Washington 99206.

Document availability: Copies of the current permit applications, the Template SHA, and other relevant decision documents addressing the Service's proposed issuance of permits are available for review, subject to the requirements of the Privacy Act of 1974 (5 U.S.C. 552a) and Freedom of Information Act, by any of the following methods.

- *Internet:* You may access electronic copies on the Internet at *http://www.fws.gov/wafwo/index.html.*
- *In-Person:* Printed copies are available for public inspection, by appointment, during normal business hours at the Eastern Washington Field Office (see **ADDRESSES**).

FOR FURTHER INFORMATION CONTACT: Michelle Eames, U.S. Fish and Wildlife Service (see **ADDRESSES**); by telephone 509–893–8010. If you use a telecommunications device for the deaf (TDD), please call the Federal Information Relay Service (FIRS) at 800–877–8339.

SUPPLEMENTARY INFORMATION:

Background

On September 7, 2006, the Service announced the availability for public review and comment of a draft Template SHA, which was jointly developed by the Service and the Washington Department of Fish and Wildlife (WDFW), and a draft Environmental Assessment, which was developed by the Service pursuant to Federal responsibilities under the National Environmental Policy Act. The Service's September 7, 2006, notice also announced the receipt of three initial permit applications that were developed in accordance with the Template SHA. The final Template SHA, which contained only minor modifications from the draft released for public review, was signed by the Service and WDFW on October 24, 2006. To date, the Service has issued 17 permits under the Template SHA, which cover 137,626 acres that fall within the historic distribution of the Columbia Basin pygmy rabbit. The nine new applicants have requested to enroll an additional 11,446 acres of privately owned lands under the Template SHA.

The primary objective of the Template SHA is to facilitate collaboration between the Service, WDFW, and prospective participants to voluntarily implement conservation measures to benefit the Columbia Basin pygmy rabbit. Another objective of the Template SHA is to facilitate a process to provide incidental take coverage to participants through issuance of Enhancement of Survival Permits, which will relieve participants of additional section 9 liability under the Act if implementation of their conservation measures results in increased numbers or distribution of Columbia Basin pygmy rabbits on their enrolled properties.

The Service previously determined that implementation of the Template SHA, to include issuance of permits developed in accordance with the Template SHA, would result in conservation benefits to the Columbia Basin pygmy rabbit and would not result in significant effects to the human environment. The Service will evaluate any new information, the current permit applications, related documents, and any comments submitted thereon to determine whether they are consistent with the measures prescribed by the Template SHA and other relevant decision documents and permit issuance criteria. If it is determined that the requirements are met, permits to exempt incidental take of the Columbia Basin pygmy rabbit will be issued to the applicants. The final permit determinations will not be completed until after the end of the 30-day comment period, following our full consideration of all comments received.

Public Availability of Comments

All comments and materials we receive become part of the public record associated with this action. Before including your address, phone number,

email address, or other personally identifiable information in your comments, you should be aware that your entire comment—including your personally identifiable information—may be made publicly available at any time. While you can ask us in your comment to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so. Comments and materials we receive, as well as supporting documentation we use in preparing the permits, will be available for public inspection by appointment, during normal business hours, at our Eastern Washington Field Office (see **ADDRESSES**).

The Service is furnishing this notice to provide the public, other Federal and State agencies, and interested Tribes an opportunity to review and comment on the Service's proposed issuance of permits to these applicants.

Authority

We provide this notice in accordance with the requirements of section 10 of the Act (16 U.S.C. 1531 *et seq.*).

Dated: May 22, 2015.

Richard Hannan,

Deputy Regional Director, Pacific Region, U.S. Fish and Wildlife Service, Portland, Oregon.

[FR Doc. 2015–14996 Filed 6–17–15; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLIDC00000.13XL1109AF.L102000000.MJ000.4500054065]

Notice of Intent To Amend the Cottonwood Resource Management Plan and Prepare an Environmental Assessment and Notice of Realty Action: Proposed Sale of Public Land in Idaho County, Idaho

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent and notice of realty action.

SUMMARY: This notice provides for two related actions, one a proposed land use plan amendment involving approximately 19,054 acres of public land in Latah, Clearwater, Nez Perce, Lewis, Idaho, and Adams counties of Idaho; and the other proposed land sales involving 22.46 acres of public land in Idaho County being considered in the proposed plan amendment. In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) Cottonwood Field Office, Cottonwood, Idaho, intends to prepare a resource management plan (RMP) amendment and associated environmental assessment (EA) for the Cottonwood RMP including the proposed land sales involving 22.46 acres of public land, and by this notice is announcing the beginning of the scoping process to solicit public comments and identify related issues.

DATES: This notice initiates the public scoping process for the RMP amendment, proposed land sales of 22.46 acres of public land and associated EA. Comments on issues may be submitted in writing until July 20, 2015. The date(s) and location(s) of any scoping meetings will be announced at least 15 days in advance through local news media, newspapers, and the BLM Web site at: *http://www.blm.gov/id/st/en/Districts-Idaho/CDA.html.* In order to be included in the analysis, all comments must be received on or prior to the close of the 30-day scoping period or 15 days after the last public meeting, whichever is later. We will provide additional opportunities for public participation as appropriate.

ADDRESSES: You may submit comments on issues and planning criteria related to the RMP amendment and proposed sale by any of the following methods:

- *Web site: http://www.blm.gov/id/st/en/Districts-Idaho/CDA.html.*
- *Email: blm_id_elkcitymillsite@blm.gov.*
- *Fax:* 208–962–3275.
- *Mail:* BLM Cottonwood Field Office, ATTN: Elk City Mill Site, 1 Butte Drive, Cottonwood, ID 83522.

Documents pertinent to this proposal may be examined at the Cottonwood Field Office, 1 Butte Drive, Cottonwood, ID 83522. Please reference ''Cottonwood RMP Amendment/Notice of Realty Action: Proposed Sale of Public Lands'' on all correspondence.

FOR FURTHER INFORMATION CONTACT: Will Runnoe, Field Manager, at telephone: 208–962–3256, address: 1 Butte Drive, Cottonwood, ID 83522, email: *blm_id_elkcitymillsite@blm.gov.* Contact Mr. Runnoe to have your name added to our mailing list. Persons who use a telecommunications device for the deaf (TDD) 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. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: This document provides notice that the BLM Cottonwood Field Office, Cottonwood, Idaho, intends to prepare an RMP amendment and associated EA for the Cottonwood RMP and announces the beginning of the scoping process and seeks public input on issues and planning criteria. The planning area is located in Latah, Clearwater, Nez Perce, Lewis, Idaho, and Adams counties of Idaho, and encompasses approximately 132,240 acres of public land. The purpose of the public scoping process is to determine relevant issues that will influence the scope of the environmental analysis, including alternatives, and guide the planning process.

The purpose of the amendment is to clarify specifically which lands, currently designated as available for disposal, meet one or more of FLPMA's Section 203 sale criteria. The proposed amendment would clarify management direction in the RMP to identify which lands currently designated as available for disposal may be further designated as either available for disposal through sale or not available.

Amending the Cottonwood RMP would not increase the number of acres previously identified in the RMP as available for disposal. It would merely clarify which of those parcels meet Section 203 sale criteria. The proposed amendment would not change the BLM's ability to dispose of those lands through exchange, Recreation & Public Purposes Act leases, or other means of conveyance; or to retain them. Any determination of the availability of identified BLM parcels for disposal, however, would not remove the BLM's obligation to carry out appropriate environmental analysis prior to any proposed sale, exchange, issuance of an R&PP Act lease, or conveyance through any other means, nor would it change BLM's authority to retain those lands under Federal management.

As part of evaluating the availability of the 19,054 acres for potential disposal by sale, the BLM will consider the following described public lands in Idaho County, Idaho, for sale under the authority of Section 203 of FLPMA if they are found to meet Section 203 sale criteria:

Boise Meridian

T. 29 N., R. 8 E.,
Parcel One: sec. 33, lots 19 and 20. (9.97 acres, IDI–37780)
Parcel Two: sec. 33, lots 5, 14, and 18. (12.49 acres, IDI–37781)

The area described for these proposed sales contains 22.46 acres. As part of the environmental assessment for the proposed sales the BLM will consider the appropriate method of sale (competitive, modified competitive or direct).

In addition to initiating scoping for this RMP amendment, this notice also segregates the above-mentioned parcels from appropriation under the public land laws, including the mining laws, except the sale provisions of FLPMA. The segregation of the public lands being considered for sale will be for a period of 2 years. Conveyance of the identified public land will be subject to valid existing rights and encumbrances of record, including but not limited to rights-of-way for roads and public utilities. Conveyance of any mineral interest pursuant to Section 209 of FLPMA will be considered as part of processing the proposed sales.

On June 18, 2015, the two above-described parcels identified for potential sale will be segregated from appropriation under the public land laws, including the United States mining laws, except the sale provisions of FLPMA. Until completion of the sale, the BLM will no longer accept land use applications affecting the two identified public land parcels, except applications for the amendment of previously filed right-of-way applications or existing authorizations to increase the term of the grants in accordance with 43 CFR 2807.15 and 2886.15. The segregative effect will terminate upon issuance of a patent, publication in the **Federal Register** of a termination of the segregation, or June 19, 2017, whichever occurs first, unless extended by the BLM Idaho State Director in accordance with 43 CFR 2711.1–2(d) prior to the termination date.

The Cottonwood RMP identifies 19,054 acres of public land as available for disposal. However, the RMP fails to specify whether those lands have been evaluated under FLPMA's Section 203 sale criteria.

The purpose of the public scoping process is to determine relevant issues that will influence the scope of the environmental analysis, including alternatives, and guide the planning process. A preliminary issue for the plan amendment area has been identified by BLM personnel; Federal, State, and local agencies; and other stakeholders. The issue is to identify lands currently designated as available for disposal, that also meet FLPMA's Section 203 sale criteria (43 U.S.C. 1713(a)).

Comments may also be submitted regarding the planning criteria. Preliminary planning criteria include:

1. The proposed amendment will only address lands already designated as available for disposal (approximately 19,054 acres in Latah, Clearwater, Nez Perce, Lewis, Idaho, and Adams Counties of Idaho) that meet FLPMA's Section 203 sale criteria. No other decisions associated with the Cottonwood RMP will be amended.

2. The plan amendments will comply with FLPMA, NEPA, and all other applicable laws, regulations, and policies.

3. For program-specific guidance regarding decisions at the land use planning level, the process will follow the BLM's policies in the Land Use Planning Handbook, H–1601–1.

4. Public participation and collaboration will be an integral part of the planning process.

5. The BLM will strive to make decisions in the plan amendments compatible with the existing plans and policies of adjacent local, State, and Federal agencies, and affected Native American tribes, as long as the decisions are consistent with the purposes, policies, and programs of Federal law and regulations applicable to public lands.

6. The BLM will work collaboratively with cooperating agencies and all other interested groups, agencies, and individuals.

The public is invited to provide scoping comments on issues mentioned above, as well as other issues that should be addressed in the preparation of the plan amendment or the proposed sales.

You may submit comments on issues and planning criteria in writing to the BLM using one of the methods listed in the **ADDRESSES** section above. To be most helpful, you should submit comments by the close of the 30-day scoping period.

The BLM will use and coordinate the NEPA scoping process to help fulfill the public involvement requirements under the National Historic Preservation Act (54 U.S.C. 306108) as provided in 36 CFR 800.2(d)(3). The information about historic and cultural resources within the area potentially affected by the proposed actions will assist the BLM in identifying and evaluating impacts to such resources.

The BLM will consult with Indian tribes on a Government-to-Government basis in accordance with Executive Order 13175 and other policies. Tribal concerns, including impacts on Indian trust assets and potential impacts to cultural resources, will be given due consideration. Federal, State, and local agencies, along with tribes and other stakeholders that may be interested in or affected by the proposed actions that the BLM is evaluating, are invited to participate in the scoping process and, if eligible, may request or be requested by the BLM to participate in the development of the environmental analysis as a cooperating agency.

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. The BLM will evaluate identified issues to be addressed in the plan and will place them into one of three categories:

1. Issues to be resolved in the plan amendment;

2. Issues to be resolved through policy or administrative action; or

3. Issues beyond the scope of this plan amendment.

The BLM will provide an explanation in the EA as to why an issue was placed in category two or three. The public is also encouraged to help identify any management questions and concerns that should be addressed in the plan. The BLM will work collaboratively with interested parties to identify the management decisions that are best suited to local, regional, and national needs and concerns.

The BLM will use an interdisciplinary approach to develop the plan amendment in order to consider the variety of resource issues and concerns identified. Specialists with expertise in the following disciplines will be involved in the planning process: Minerals and geology, forestry, outdoor recreation, archaeology, wildlife and fisheries, lands and realty, hydrology, and soils.

Authority: 43 U.S.C. 1713(a); 43 CFR 2711.1–2, 40 CFR 1501.7, and 43 CFR 1610.2.

Jeffery L. Foss,

Acting BLM Idaho State Director.

[FR Doc. 2015–15032 Filed 6–17–15; 8:45 am]

BILLING CODE 4310–GG–P

DEPARTMENT OF THE INTERIOR

Bureau Of Land Management

[LLOR936000.L14400000.ET0000. 15XL1109AF; HAG 15–0099; OR–67721]

Public Land Order No. 7836; Withdrawal of National Forest System Lands for the White King/Lucky Lass Mines Remediation Areas; Oregon

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: Subject to valid existing rights, this order withdraws 240.59 acres of National Forest System lands in the Fremont National Forest from location and entry under the United States mining laws, but not from leasing under the mineral leasing laws, for a period of 20 years for the United States Forest Service to protect the integrity and functionality of the mine reclamation work on the White King/Lucky Lass Mines. The withdrawal will protect the $4.9 million Federal investment for reclamation work that has been completed to contour, cap, and restore vegetation at the mine sites located in the Fremont National Forest in Lake County, Oregon.

DATES: *Effective Date:* June 7, 2015.

FOR FURTHER INFORMATION CONTACT: Robin Ligons, Bureau of Land Management Oregon/Washington State Office, 503–808–6169, or Candice Polisky, U.S. Forest Service, Region 6, Pacific Northwest Regional Office, 503–808–2479. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to reach either of the contacts stated above. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with either of the above individuals. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: This order will withdraw National Forest System lands that were previously withdrawn by two expired withdrawals created by Public Land Order Nos. 6990 (58 FR 42245 as corrected in 58 FR 44536) and 7519 (67 FR 13649).

Order

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714, it is ordered as follows:

1. Subject to valid existing rights, the following described National Forest System lands are hereby withdrawn from location and entry under the United States mining laws, but not from leasing under the mineral leasing laws, for a period of 20 years to protect the integrity and functionality of the mine reclamation work at the White King/Lucky Lass Mines reclamation project:

Willamette Meridian

Fremont National Forest

T. 37 S., R. 18 E.,
sec. 25, NW¼NE¼;
T. 37 S., R. 19 E.,
sec. 30, lot 1, and NW¼NE¼, E½NW¼, and NW¼SE¼.

The areas described aggregate 240.59 acres in Lake County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the lands other than under the mining laws.

3. This withdrawal will expire 20 years from the effective date of this order, unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f), the Secretary of the Interior determines that the withdrawal shall be extended.

Dated: June 7, 2015.

Janice M. Schneider,

Assistant Secretary—Land and Minerals Management.

[FR Doc. 2015–15007 Filed 6–17–15; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[15XL1109AF LLUTC04000 L13200000.EL0000, UTU 081895]

Notice of Availability for the Alton Coal Tract Coal Lease by Application Supplemental Draft Environmental Impact Statement, Utah

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: In accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, the Bureau of Land Management (BLM) has prepared a Supplemental Draft Environmental Impact Statement (EIS) for the Alton Coal Tract Lease by Application (LBA) and by this notice is announcing its availability and the start of a comment period on the Supplemental Draft EIS.

DATES: To ensure comments on the Supplemental Draft EIS will be considered, the BLM must receive written comments on the Alton Coal Tract LBA Supplemental Draft EIS within 60 days following the date the Environmental Protection Agency publishes its Notice of Availability in the **Federal Register**. The BLM will announce future meetings and any other public involvement activities at least 15 days in advance through public notices, media releases, and/or mailings.

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

- *Email: UT_Kanab_Altoncoal@blm.gov.* Please include ''Alton Coal Lease SDEIS'' in the subject line.
- *Fax:* 435–644–1299, Attn: Keith Rigtrup.
- *Mail:* Bureau of Land Management, Kanab Field Office, Attn: Keith Rigtrup, 669 South Highway 89 A, Kanab, Utah 84741.
- Written comments may also be hand-delivered to the BLM-Utah Kanab Field Office in Kanab.

Copies of the Supplemental Draft EIS are available at the following BLM office locations: BLM-Utah State Office Public Room, 440 West 200 South, Suite 500, Salt Lake City, Utah 84101, and the BLM-Utah Kanab Field Office, 669 South Highway 89 A, Kanab, Utah 84741, during business hours (8:00 a.m.–4:30 p.m.), Monday through Friday, except holidays. The Supplemental Draft EIS is available electronically at the following Web site: *http://www.blm.gov/ut/st/en/fo/kanab.html*

FOR FURTHER INFORMATION CONTACT: Keith Rigtrup, BLM-Utah Color Country District Office, 176 East DL Sargent Drive, Cedar City, Utah 84721, or by telephone at 435–865–3000. Persons who use a telecommunications device for the deaf (TDD) 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, seven days a week. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The BLM made the initial Alton Coal Tract LBA Draft EIS available for public review from November 4, 2011 through January 27, 2012. The BLM received approximately 177,000 comments during that time expressing concerns with sensitive species (sage-grouse), protection of wetlands and air quality, among others. Based on those comments and work with other Federal agencies, including the U.S. Fish and Wildlife Service, Environmental Protection Agency, and the National Park Service, the BLM determined that a Supplemental Draft EIS was needed to adequately address public concerns. Preparation of the Supplemental Draft EIS began in July 2012. As part of the Supplemental Draft EIS process, the BLM worked with Federal, State, and county partners to address public concerns and also collaborated to identify mitigation measures for impacts associated with the project. The Supplemental Draft EIS analyzes the potential impacts of issuing a lease for the Alton Coal Tract, serial number UTU 081895. The lease tract is located near the town of Alton, Utah, and immediately adjacent to the existing Coal Hollow Mine. The LBA for the Alton tract was filed by Alton Coal

Development, LLC, in accordance with 43 CFR 3425. The Alton Coal Tract contains 59.6 million tons of in-place bituminous coal. The coal quality in the Smirl coal zone on an ''as received basis'' is as follows: 10,019 Btu/lb (British Thermal Units per pound), 13 percent moisture, 10 percent ash, 39 percent volatile matter, 50 percent fixed carbon and 1.13 percent sulfur underlying the following lands in Kane County, Utah:

Salt Lake Meridian

T. 39 S., R. 5 W.,
sec. 7, SE¼SW¼ and S½SE¼;
sec. 18, lots 3 and 4 and E½, E½W¼; and E½SW¼;
sec. 19, lots 1 to 4 inclusive, NE¼, E½NW¼, E½SW¼, N½SE¼, and SE¼SE¼;
sec. 20, lots 4 and 5, and N½SW¼;
sec. 30, lots 2 to 4 inclusive, SW¼NE¼, SE¼NW¼, E½SW¼, and W½SE¼;
sec. 31, lots 1 to 3 inclusive, NE¼, E½NW¼, NE¼SW¼, and N½SE¼;
T. 39 S., R. 6 W.,
sec. 12, SW¼ and W½SE¼;
sec. 13, NW¼NE¼, N½NW¼, SE¼NW¼, and SE¼;
sec. 24, NE¼, N½NW¼, SE¼NW¼, E½SW¼, N½SE¼, and SE¼SE¼;
sec. 25, E½NE¼, SW¼NE¼, and SE¼.

The area described includes both public and non-public lands and aggregates 3,581.27 acres.

Consistent with Federal regulations under NEPA and the Mineral Leasing Act of 1920, as amended, the BLM must prepare an environmental analysis prior to holding a competitive Federal coal lease sale. The Supplemental Draft EIS analyzes and discloses to the public the direct, indirect, and cumulative environmental impacts of issuing a Federal coal lease on the Alton Coal Tract, including mining and transportation of coal to a railhead near Cedar City, Utah. A copy of the Supplemental Draft EIS has been sent to affected Federal, State, tribal, and local government agencies; persons and entities identified as potentially being affected by a decision to lease the Alton Coal Tract; and, persons who indicated to the BLM that they wished to receive a copy of the Supplemental Draft EIS.

The Supplemental Draft EIS analyzes three action alternatives (Alternatives B, C, and K1) and a No Action Alternative. Under the action alternatives, a competitive sale would be held and a lease issued for the Federal coal included in the specific tracts considered under those alternatives.

In addition to its analysis of alternatives and consistent with the Kanab Field Office Record of Decision and Approved Resource Management Plan (2008), the Supplemental Draft EIS reflects the BLM's application of the unsuitability criteria (43 CFR 3461.5) to the Alton Coal Tract. Based on that review, the BLM has determined the Alton Coal Tract is unsuitable under Criterion 15 (43 CFR 3461.5) based on the presence of sage-grouse dancing and strutting grounds on and around the tract. The BLM will continue to consider the tract for leasing because under Criterion 15, ''A lease may be issued if, after consultation with the State, the BLM determines that all or certain stipulated methods of coal mining will not have a significant long-term impact on the species being protected.'' As part of that determination, the BLM will consider all available data related to the impacts of the project, including comments from cooperators and the public. All action alternatives in the Supplemental Draft EIS require implementation of a detailed Sage-Grouse Mitigation Plan that imposes, among other things, a 4:1 offsite mitigation ratio. The Sage-Grouse Mitigation Plan also includes reclamation of surrounding sagebrush habitats to vegetation standards that would provide for sage-grouse habitat, as well as treating a 186-acre area prior to ground disturbance on the leased tract.

The alternatives being considered in the Supplemental Draft EIS are in conformance with the Kanab Field Office Record of Decision and Approved Resource Management Plan (2008). Requests to be included on the mailing list for this project may be sent by mail, facsimile, or electronically to the addresses listed in the **ADDRESSES** section above. For those submitting comments on the Supplemental Draft EIS, please make the comments as specific as possible with reference to page numbers and sections of the document. Comments that contain only opinions or preferences will not receive a formal response; however, they may be considered and included as part of the BLM decision-making process.

Please note that public comments and information submitted including names, street addresses, and email addresses of persons who submit comments will be available for public review and disclosure at the Kanab Field Office (address listed above) during regular business hours (8 a.m. to 4:30 p.m.), Monday through Friday, except holidays.

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: 43 CFR 3425.3.

Jenna Whitlock,

Acting State Director.

[FR Doc. 2015–15006 Filed 6–17–15; 8:45 am]

BILLING CODE 4310–DQ–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Toner Supply Containers and Components Thereof, DN 3070;* the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing under § 210.8(b) of the Commission's Rules of Practice and Procedure (19 CFR 210.8(b)).

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at EDIS,[1] and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000.

General information concerning the Commission may also be obtained by accessing its Internet server at United States International Trade Commission (USITC) at USITC.[2] The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at EDIS.[3] Hearing-impaired persons are advised that information on this matter can be obtained by contacting the

[1] Electronic Document Information System (EDIS): *http://edis.usitc.gov.*

[2] United States International Trade Commission (USITC): *http://edis.usitc.gov.*

[3] Electronic Document Information System (EDIS): *http://edis.usitc.gov.*

Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to section 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Canon Inc., Canon U.S.A., Inc. and Canon Virginia, Inc. on June 12, 2015. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain toner supply containers and components thereof. The complaint names as respondents General Plastic Industrial Co., Ltd. of Taiwan and Color Imaging, Inc. of Norcross, GA. The complainant requests that the Commission issue a permanent limited exclusion order and cease and desist orders.

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length, inclusive of attachments, on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to § 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the docket number (''Docket No. 3070'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, Electronic Filing Procedures [4]). Persons with questions regarding filing should contact the Secretary (202–205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.[5]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: June 12, 2015.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2015–14957 Filed 6–17–15; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Lip Balm Products, Containers for Lip Balm, and Components Thereof, DN 3071;* the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing under section 210.8(b) of the Commission's Rules of Practice and Procedure (19 CFR 210.8(b)).

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at EDIS,[1] and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000.

General information concerning the Commission may also be obtained by accessing its Internet server at United States International Trade Commission (USITC) at USITC.[2] The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at EDIS.[3] Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to section 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of eos Products, LLC and The Kind Group LLC, on June 12, 2015. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain lip balm products, containers for lip balm, and components thereof. The complaint name as respondents OraLabs, Inc. of Parker, CO; CVS Health Corporation of Woonsocket, RI; CVS Pharmacy, Inc. of Woonsocket, RI; Walgreens Boots Alliance, Inc. of Deerfield, IL; Walgreen Co. of Deerfield, IL; Dollar Tree, Inc. of Chesapeake, VA; Dollar Tree Stores, Inc.

[4] Handbook for Electronic Filing Procedures: *http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.*

[5] Electronic Document Information System (EDIS): *http://edis.usitc.gov.*

[1] Electronic Document Information System (EDIS): *http://edis.usitc.gov.*

[2] United States International Trade Commission (USITC): *http://edis.usitc.gov.*

[3] Electronic Document Information System (EDIS): *http://edis.usitc.gov.*

of Chesapeake, VA; Five Below Inc. of Philadelphia, PA; Wuxi Sunmart Science and Technology Co., Ltd. a/k/a Wuxi Sunmart Group Co., Ltd.and a/k/a Wuxi Shengma Science & Technology Co., Ltd. of China; and Wuxi Sunmart Plastic Co., Ltd. of China. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length, inclusive of attachments, on any public interest issues raised by the complaint or section 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the docket number (''Docket No. 3071'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, *Electronic Filing Procedures* [4]). Persons with questions regarding filing should contact the Secretary (202–205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.[5]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: June 15, 2015.

William R. Bishop,

Supervisory Hearings and Information Officer.

[FR Doc. 2015–14987 Filed 6–17–15; 8:45 am]

BILLING CODE 7020–02–P

JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

Meeting of the Advisory Committee; Meeting

AGENCY: Joint Board for the Enrollment of Actuaries.

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: The Executive Director of the Joint Board for the Enrollment of Actuaries gives notice of a meeting of the Advisory Committee on Actuarial Examinations (portion of which will be open to the public) in Arlington, VA on July 13–14, 2015.

DATES: Monday, July 13, 2015, from 9:00 a.m. to 5:00 p.m., and Tuesday, July 14, 2015, from 8:30 a.m. to 5:00 p.m.

ADDRESSES: The meeting will be held at the Internal Revenue Service, 2345 Crystal Drive, Suite 400, Arlington, VA.

FOR FURTHER INFORMATION CONTACT: Patrick W. McDonough, Executive Director of the Joint Board for the Enrollment of Actuaries, 703–414–2173.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the Advisory Committee on Actuarial Examinations will meet at the Internal Revenue Service, 2345 Crystal Drive, Suite 400, Arlington, VA, on Monday, July 13, 2015, from 9:00 a.m. to 5:00 p.m., and Tuesday, July 14, 2015, from 8:30 a.m. to 5:00 p.m.

The purpose of the meeting is to discuss topics and questions that may be recommended for inclusion on future Joint Board examinations in actuarial mathematics and methodology referred to in 29 U.S.C. 1242(a)(1)(B) and to review the May 2015 Basic (EA–1) Examination and the May 2015 Pension (EA–2L) Examination in order to make recommendations relative thereto, including the minimum acceptable pass scores. Topics for inclusion on the syllabus for the Joint Board's examination program for the November 2015 Pension (EA–2F) Examination will be discussed.

A determination has been made as required by section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. App., that the portions of the meeting dealing with the discussion of questions that may appear on the Joint Board's examinations and the review of the May 2015 Basic (EA–1) Examination and the May 2015 Pension (EA–2L) Examination fall within the exceptions to the open meeting requirement set forth in 5 U.S.C. 552b(c)(9)(B), and that the public interest requires that such portions be closed to public participation.

The portion of the meeting dealing with the discussion of the other topics will commence at 1:00 p.m. on July 14, 2015, and will continue for as long as necessary to complete the discussion, but not beyond 3:00 p.m. Time permitting, after the close of this discussion by Committee members, interested persons may make statements germane to this subject. Persons wishing to make oral statements should notify the Executive Director in writing prior to the meeting in order to aid in scheduling the time available and should submit the written text, or at a minimum, an outline of comments they propose to make orally. Such comments will be limited to 10 minutes in length. All persons planning to attend the

[4] Handbook for Electronic Filing Procedures: *http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.*

[5] Electronic Document Information System (EDIS): *http://edis.usitc.gov.*

public session should notify the Executive Director in writing to obtain building entry. Notifications of intent to make an oral statement or to attend must be sent electronically, by no later than July 7, 2015, to *Patrick.Mcdonough@irs.gov.* Any interested person also may file a written statement for consideration by the Joint Board and the Committee by sending it to: Internal Revenue Service; Attn: Patrick W. McDonough, Executive Director; Joint Board for the Enrollment of Actuaries SE:RPO; REFM, Park 4, Floor 4; 1111 Constitution Avenue NW., Washington, DC 20224.

Dated: June 15, 2015.

Patrick W. McDonough,

Executive Director, Joint Board for the Enrollment of Actuaries.

[FR Doc. 2015–15014 Filed 6–17–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Asbestos in Construction Standard

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Occupational Safety and Health Administration (OSHA) sponsored information collection request (ICR) titled, ''Asbestos in Construction Standard,'' to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 *et seq.* Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before July 20, 2015.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201504-1218-004* (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–OSHA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202–395–5806 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov.* Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW., Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov.*

Authority: 44 U.S.C. 3507(a)(1)(D).

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authority for the Asbestos in Construction Standard information collection requirements codified in regulations 29 CFR 1926.1101. These information collection requirements require an Occupational Safety and Health Act (OSH Act) covered employer subject to the Standard to train workers about hazards of asbestos, to monitor worker exposure, to provide medical surveillance, and to maintain accurate records of worker exposure to asbestos. The employer, workers, and Government officials use these records to ensure that workers are not harmed by exposure to asbestos in the workplace. OSH Act sections 2(b)(9), 6, and 8(c) authorize this information collection. *See* 29 U.S.C. 651(b)(9), 655, and 657(c).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1218–0134.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on June 30, 2015. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on April 7, 2015 (80 FR 18649).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1218–0134. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Agency: DOL–OSHA.

Title of Collection: Asbestos in Construction Standard.

OMB Control Number: 1218–0134.

Affected Public: Private Sector—businesses or other for-profits.

Total Estimated Number of Respondents: 209,379.

Total Estimated Number of Responses: 39,379,431.

Total Estimated Annual Time Burden: 3,881,183 hours.

Total Estimated Annual Other Costs Burden: $36,238,059.

Dated: June 11, 2015.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2015–14974 Filed 6–17–15; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2013–0026]

Executive Order 13650 Improving Chemical Facility Safety and Security Webinar: Implementation Updates

AGENCY: Occupational Safety and Health Administration (OSHA), Labor

ACTION: Notice of listening session Webinar.

SUMMARY: The Department of Labor (DOL), in coordination with the Department of Homeland Security (DHS) and the Environmental Protection Agency (EPA), is announcing a Webinar to update stakeholders on action items since the June 6, 2014 release of ''Executive Order [EO] 13650: Actions to Improving Chemical Facility Safety and Security—A Shared Commitment.''

DATES: The Webinar will take place on June 19th, from 1:00 to 2:30 p.m. EDT.

Registration to Participate: To register, please email your contact information (first name, last name, company, title) to *eo.chemical@hq.dhs.gov.* As time permits, questions will be taken on a first-come, first served basis—please let us know if you wish to participate. You will be provided a separate email with webinar connection and call-in instructions. There is no fee to register.

FOR FURTHER INFORMATION CONTACT: For general information on the EO, visit the Web site at: *https://www.osha.gov/chemicalexecutiveorder/.* For questions regarding the EO, please contact: *eo.chemical@hq.dhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On August 1, 2013, President Obama issued EO 13650 to improve chemical facility safety and security. The Working Group charged with implementing the EO is co-chaired by DHS, DOL, and EPA, and includes participation from the Departments of Justice, Agriculture, and Transportation, all of whom play a role in chemical facility safety measures. The Working Group gathered concerns, comments, feedback, suggestions, and best practices from stakeholders over the course of several Webinars and listening sessions which culminated in a Report to the President released in May 2014, as well as an Action Plan contained therein.

The Working Group has made significant progress on the implementation of the Action Plan since the release of the report by initiating community planning preparedness measures, increasing Federal coordination, improving data management techniques and technology, revising regulations, issuing guidance and advisory documents, and creating a best practices repository, among other initiatives.

II. Scope of Webinar

The purpose of this Webinar is to update stakeholders and the public on progress made on action items since the June 6, 2014 release of ''Executive Order [EO] 13650: Actions to Improving Chemical Facility Safety and Security—A Shared Commitment'', and to raise awareness of the EO 13650 Working Group Web site, located at: *www.osha.gov/chemicalexecutiveorder/.*

We encourage participation from the broad range of stakeholders who have an interest in chemical facility safety and security to include, but not limited to, chemical producers, chemical storage companies, agricultural supply companies, State and local regulators, chemical critical infrastructure owners and operators, first responders, labor organizations representing affected workers, environmental and community groups, and consensus standards organizations.

III. Public Participation

This Webinar will accommodate over 600 participants. As time permits, participants will be able to ask questions on a first-come first-served basis. We will do our best to accommodate all persons who wish to ask questions during the session. We request that participants refrain from making statements, and use this time to ask questions. Should time run out, participants may submit questions or statements to: *eo.chemical@hq.dhs.gov.*

Authority and Signature

David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice.

Signed at Washington, DC, on June 15, 2015.

David Michaels,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2015–15010 Filed 6–17–15; 8:45 am]

BILLING CODE 4510–26–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Information Security Oversight Office

[NARA–2015–048]

State, Local, Tribal, and Private Sector Policy Advisory Committee (SLTPS–PAC)

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice of advisory committee meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act (5 U.S.C. app 2) and implementing regulation 41 CFR 101–6, NARA announces the following committee meeting.

DATES: The meeting will be on July 22, 2015, from 10:00 a.m. to 12:00 p.m. EDT.

ADDRESSES: National Archives and Records Administration; 700 Pennsylvania Avenue NW.; Jefferson Room; Washington, DC 20408.

FOR FURTHER INFORMATION CONTACT: Robert J. Skwirot, Senior Program Analyst, by mail at ISOO, National Archives Building; 700 Pennsylvania Avenue NW., Washington, DC 20408, by telephone at (202) 357–5398, or by email at *robert.skwirot@nara.gov.* Contact ISOO at *ISOO@nara.gov.*

SUPPLEMENTARY INFORMATION: The purpose of this meeting is to discuss matters relating to the Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities. The meeting will be open to the public. However, due to space limitations and access procedures, you must submit the name and telephone number of individuals planning to attend to the Information Security Oversight Office (ISOO) no later than Friday, July 17, 2015. ISOO will provide additional instructions for accessing the meeting's location.

Dated: June 11, 2015.

Patrice Little Murray,

Committee Management Officer.

[FR Doc. 2015–15033 Filed 6–17–15; 8:45 am]

BILLING CODE 7515–01–P

OFFICE OF PERSONNEL MANAGEMENT

Notice of Submission for Approval: Information Collection 3206–0106; Interview Survey Form, INV 10

AGENCY: U.S. Office of Personnel Management.

ACTION: 60-Day notice and request for comments.

SUMMARY: Federal Investigative Services (FIS), U.S. Office of Personnel Management (OPM) is notifying the general public and other Federal agencies that OPM is seeking Office of Management and Budget (OMB) approval of a revised information collection control number 3206–0106, Interview Survey Form, INV 10. OPM is soliciting comments for this collection as required by the Paperwork Reduction Act of 1995, (Pub. L. 104–13, 44 U.S.C. chapter 35), as amended by the Clinger-Cohen Act (Pub. L. 104–106). The Office of Management and Budget is particularly interested in comments that:

1. 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;

2. 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;

3. Enhance the quality, utility, and clarity of the information to be collected; and

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

DATES: Comments are encouraged and will be accepted until August 17, 2015. This process is conducted in accordance with 5 CFR 1320.8(d).

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Federal Investigative Services, U.S. Office of Personnel Management, 1900 E Street NW., Washington, DC 20415, Attention: Donna McLeod or by electronic mail at *FISFormsComments@opm.gov.*

FOR FURTHER INFORMATION CONTACT: A copy of this information collection, with applicable supporting documentation, may be obtained by contacting Federal Investigative Services, U.S. Office of Personnel Management, 1900 E Street NW., Washington, DC 20415, Attention: Donna McLeod or by electronic mail at *FISFormsComments@opm.gov.*

SUPPLEMENTARY INFORMATION: The Interview Survey Form, INV 10 is mailed by OPM, to a random sampling of record and personal sources contacted during background investigations when investigators have performed fieldwork. The INV 10 is used as a quality control instrument designed to ensure the accuracy and integrity of the investigative product. The form queries the recipient about the investigative procedure exhibited by the investigator, the investigator's professionalism, and the information discussed and reported. In addition to the preformatted response options, OPM invites the recipients to respond with any other relevant comments or suggestions.

OPM proposes the following changes. To prevent confusion as to the meaning of the current question ''Were you interviewed in private?'' OPM proposes to ask, ''Were you interviewed alone (no third party present)?'' and ''Were you interviewed in a private setting or private, enclosed space?'' To provide the respondent the opportunity to explain the circumstances of interviews conducted by phone, OPM is replacing the current series of checkboxes (''My Request,'' ''Investigator's Request,'' ''No Reason Given'') with two questions, ''Were you offered to be interviewed in person?'' and ''Please explain why the interview was conducted by telephone.'' OPM proposes to amend Question 7 to be more concise by combining the series of two questions into one, so that Question 7 will now read ''Please provide any additional comments or concerns you have about the investigator and/or the interview, and indicate if you require additional contact from an OPM representative.''

OPM is also making non-substantive changes to page one of the form for conciseness.

Analysis

Agency: Federal Investigative Services, U.S. Office of Personnel Management.

Title: Interview Survey Form, INV 10.

OMB Number: 3206–0106.

Affected Public: A random sampling of record and personal sources contacted during background investigations when investigators have performed fieldwork.

Number of Respondents: 61,973.

Estimated Time per Respondent: 6 minutes.

Total Burden Hours: 6,197.

U.S. Office of Personnel Management.

Katherine Archuleta,

Director.

[FR Doc. 2015–14972 Filed 6–17–15; 8:45 am]

BILLING CODE 6325–53–P

POSTAL REGULATORY COMMISSION

[Docket No. R2013–11R; Order No. 2540]

Rate Adjustment Remand

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a proceeding to address the methodological approach for accounting for volume losses in calculating the exigent surcharge, as well as other relevant issues. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* June 26, 2015; *reply comments are due:* July 6, 2015.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Background
III. Commission Action on Remand
IV. Ordering Paragraphs

I. Introduction

On June 5, 2015, the United States Court of Appeals for the District of Columbia Circuit issued its opinion in *Alliance of Nonprofit Mailers* v. *Postal Regulatory Commission,* 2015 WL 3513394 (D.C. Cir. June 5, 2015). In that opinion, the court granted in part a Postal Service petition for review of the Commission's December 24, 2013 order that had approved in part a Postal Service request for an exigent rate adjustment under 39 U.S.C. 3622(d)(1)(E).[1] 2015 WL 3513394 at 10. Although the court largely affirmed Order No. 1926, it vacated the count once portion of the Commission's order and remanded the case for proceedings consistent with its opinion. *Id.*

On June 8, 2015, the Postal Service filed a motion requesting the Commission expeditiously implement remand proceedings and take a number

[1] Docket No. R2013–11, Order Granting Exigent Price Increase, December 24, 2013 (Order No. 1926).

of additional steps pending completion of the remand proceedings.[2]

On June 11, 2015, the Commission received two responses to the Postal Service Motion. The first response was filed by the American Postal Workers Union, AFL–CIO (APWU) in support of the Postal Service Motion.[3] The second response was filed by a group of mailers (Mailers) in opposition to the Postal Service Motion.[4]

For the reasons set forth below, the Commission suspends the requirement that the Postal Service file a 45-day notice of intent to remove the exigent rate surcharge pending issuance of a further order.[5] This action is appropriate in light of the May 19, 2015, letter from counsel for the Postal Service advising the court that the Postal Service is expected to recoup the entirety of the surcharge by early August.[6] If this estimate is correct, the Postal Service stated that it would need to notify its customers of a prospective rescission as early as mid-June. *Id.* The Commission also establishes expedited comment procedures to afford all interested persons an opportunity to address the question of how to count the volume of lost mail in calculating the exigent surcharge, as well as any other relevant issues.

II. Background

Underlying proceeding before the Commission. On September 26, 2013, the Postal Service renewed its request for an exigent rate adjustment pursuant to 39 U.S.C. 3622(d)(1)(E).[7] In Order No. 1926, the Commission found that the Postal Service had justified the recovery of $2.776 billion in additional contribution by showing a causal link between the extraordinary or exceptional circumstances of the Great Recession and mail volume losses. Order No. 1926 at 193 (Ordering Paragraph 1). The Commission therefore permitted an exigent rate surcharge to go into effect on January 26, 2014. *Id.* (Ordering Paragraph 2). The Commission also required the Postal Service to report periodically on the surcharge revenue it was collecting, to file a report with the Commission by May 1, 2014, that included a proposed plan for removing the exigent rate surcharge, and to file a notice of the surcharge's removal not less than 45 days prior to the effective date of such removal. *Id.* at 185.

The court's opinion. On appeal, the court affirmed the Commission's use of the new normal test to measure the causal effect of the exigent circumstance. 2015 WL 3513394 at 6. However, it found the Commission's count once rule to be inconsistent with the Commission's adoption of the new normal test. *Id.* at 8. Under the count once rule, lost mail volume was counted only in the first year in which it was lost, regardless of whether the new normal test showed the exigent circumstance was ongoing. The Court vacated and remanded the count once portion of Order No. 1926 for further proceedings. *Id.* at 10.

The Postal Service's motion. In its motion, the Postal Service seeks expedited implementation of the remand proceedings. Postal Service Motion at 1. It also presents an analysis which, it asserts, demonstrates that the floor for a revised estimate of the total contribution loss is no less than $3.957 billion. *Id.* at 2. To arrive at its $3.957 billion floor, the Postal Service offers a methodological approach for counting volume losses due to the Great Recession in a cumulative manner. The Postal Service uses volume losses, by year, from Table VI–5 in Order No. 1926 at 101. The Postal Service then calculates the cumulative volume loss in each year by combining the volume first lost in that year, plus annual volume lost in the previous year(s). Postal Service Motion at 5. It then translates the calculated cumulative volume loss into an increase in lost contribution from $2.766 billion to $3.957 billion. *Id.* at 6 (emphasis omitted). The Postal Service then applies the methodology of Table VII–2 in Order No. 1926 to calculate a revised Surcharge Revenue Limitation from the increase in lost contribution resulting from the cumulative volume loss. *Id.* The Postal Service estimates that the Surcharge Revenue Limitation increases from $3.238 billion to $4.633 billion as a result of the cumulative counting of volume losses. *Id.* at 7.

The Postal Service asserts that the additional amount to which it claims to be entitled provides a cushion for maintaining the surcharge while further proceedings are conducted. *Id.* at 2. The Postal Service, therefore, requests the suspension of the $2.766 billion surcharge removal target. *Id.* at 3. In the Postal Service's view, the additional surcharge revenue made possible by suspension of the surcharge removal target will be sufficient to allow consideration of the full range of issues that need to be addressed in the remand proceeding. *Id.* at 7. In the meantime, the Postal Service states that it would continue to track exigent surcharge revenue and file quarterly reports with the Commission as required under Order No. 1926. *Id.*

Without suspension of the surcharge removal target, the Postal Service asserts that the possibility of alternating rate decreases and increases would needlessly burden the public, the Postal Service, and the mailing industry as the Commission conducts the remand proceedings. *Id.* at 3. Finally, the Postal Service requests the Commission to establish a schedule and procedures for consideration of the range of remand issues. *Id.* at 8.

Responses to the Postal Service's motion. In its comments, APWU supports the relief requested by the Postal Service and argues that the court's order to vacate the count once rule necessitates the Commission suspending the mechanism for removal of the exigent rate surcharge. APWU Comments at 1–2.

The Mailers argue that the Postal Service has misstated the scope of the court's remand. Mailers Response at 1. In particular, they assert that the Postal Service seeks to relitigate the new normal limitation and argue that the scope of the Commission's remand proceedings should be limited to the count once analysis. See *id.* at 3–8. The Mailers also question the Commission's authority to grant the relief requested by the Postal Service prior to issuance of the court's mandate. *Id.* at 8–9. Finally, the Mailers claim that uncertainty over whether the Commission can complete its action on remand before the Postal Service reaches the surcharge cap

[2] Docket No. R2013–11, Motion of the United States Postal Service to Suspend Exigent Surcharge Removal Provisions of Order No. 1926 and to Establish Remand Proceedings, June 8, 2015 (Postal Service Motion).

[3] Comments of American Postal Workers Union, AFL–CIO in Support of Postal Service Motion to Suspend Exigent Surcharge Removal Procedures, June 11, 2015 (APWU Comments).

[4] Response of Association for Postal Commerce, MPA—The Association of Magazine Media, Alliance of Nonprofit Mailers, Direct Marketing Association, Inc., American Catalog Mailers Association, Envelope Manufacturers Association, Epicomm, Idealliance, Major Mailers Association, National Newspaper Association, and Saturation Mailers Coalition to the Motion of the United States Postal Service to Suspend Exigent Surcharge Removal Provisions of Order No. 1926 and to Establish Remand Proceedings, June 11, 2015 (Mailers Response).

[5] The 45-day notice requirement was originally imposed by the Commission order granting an exigent price increase. Order No. 1926 at 185. That requirement was subsequently confirmed in an order addressing the Postal Service's surcharge removal plan. Docket No. R2013–11, Order on Exigent Surcharge Removal, January 12, 2015, at 15 (Ordering Paragraph 1) (Order No. 2319).

[6] Letter to Mark Langer, Clerk of Court, from Paul D. Clement, Counsel for Petitioner United States Postal Service, dated May 19, 2015, at 1.

[7] Docket No. R2013–11, Renewed Exigent Request of the United States Postal Service in Response to Order No. 1059, September 26, 2013. The history underlying the Postal Service's renewed request is summarized by the court in its decision. See 2015 WL 3513394 at 2–3.

requires the Commission to take steps to prevent an over collection of the surcharge. *Id.* at 1, 9–10.

III. Commission Action on Remand

The Commission agrees with the Postal Service that a prompt response to the court's opinion is necessary. If the Postal Service were to file the 45-day notice of intent to remove the surcharge by mid-June, this notice could trigger a burdensome series of rate decreases and increases as described in the Postal Service's Motion. The Commission agrees that it is desirable to avoid such a circumstance.

While the Commission agrees that prompt action is necessary, it does not believe that it is necessary for the $2.766 billion surcharge target to be suspended, as requested by the Postal Service, in order to accommodate the remand proceedings and avoid disruptive and burdensome rate changes. At this juncture, the Commission finds a more measured approach is appropriate and suspends the 45-day notice filing requirement. Such a suspension forestalls a series of rate fluctuations and provides the Commission the opportunity to conclude expedited remand proceedings before the $2.766 billion surcharge target is reached.

The Commission is not persuaded by APWU's assertions that the Commission must suspend the procedures for removal of the exigent rate surcharge in light of the court's directive. The court has not yet issued its mandate. In the absence of further action by the court, the mandate will not, under the court's generally applicable rules, be issued until July 27, 2015. See Fed. R. App. P. 35(c), 40(a)(1) and 41(b). Pending issuance of the mandate, the Commission is not prevented from considering the impact of the court's opinion on collection of the exigent surcharge. As discussed above, the Commission is establishing procedures that will permit it to act once the court's mandate is issued. In the meantime, the Postal Service continues to be authorized to collect the exigent surcharge.

The Mailers express different concerns. They strongly oppose the Postal Service's interpretation of the court's opinion as a misstatement of the proper scope of the case on remand. Mailers Response at 1, 3–8. They also argue that a temporary extension of the exigent surcharge pending remand can only be given if the Postal Service agrees to conditions that would make mailers whole if the additional surcharge revenue is ultimately found unwarranted. The Mailers' arguments on these issues and any others they wish to present in the proceedings established by this Order will be considered by the Commission when it acts on remand.

The Mailers also question whether the Commission has jurisdiction to act in this docket until the court's mandate issues. Mailers Response at 8–9. The action taken by the Commission in this Order is not precluded by the fact that the mandate has not yet issued. Even though the court's mandate has not been issued, its decision calls into question the volume of lost mail that should be used to calculate the exigent rate surcharge. The Commission's suspension of this 45-day notice requirement maintains the status quo in order to enable prompt action on remand without making any premature determination as to whether and when rate changes will be required. The 45-day notice requirement can be reinstated at the conclusion of the remand proceedings. The 45-day notice requirement was initially adopted by Order No. 1926, but it was also reexamined and independently confirmed as part of the Postal Service's surcharge removal plan approved by Order No. 2319. Order No. 1926 at 185; Order No. 2319 at 15 (Ordering Paragraph 1). Order No. 2319 was not the subject of the court's review proceeding.

In order to afford the Postal Service and other interested persons an opportunity to comment on the Postal Service's methodological approach for accounting for volume losses due to the Great Recession in a cumulative manner and any other relevant issues they wish to address, the Commission is inviting initial and reply comments. Initial comments are due no later than June 26, 2015. Reply comments are due no later than July 6, 2015.

The Commission establishes Docket No. R2013–11R to consider issues on remand. Since Docket Nos. R2013–11 and R2013–11R are part of the same proceeding, the Commission shall consider all documents filed to date in Docket No. R2013–11 as part of the record in Docket No. R2013–11R. All comments and other documents related to issues on remand must be filed under Docket No. R2013–11R.

IV. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. R2013–11R to consider issues on remand.

2. James Waclawski will continue to serve as officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

3. Initial comments are due no later than June 26, 2015.

4. Reply comments addressing matters raised in initial comments are due no later than July 6, 2015.

5. All comments and other documents related to remand issues must be filed under Docket No. R2013–11R.

6. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

Ruth Ann Abrams,

Acting Secretary.

[FR Doc. 2015–14965 Filed 6–17–15; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 31667; 812–14419]

New York Alaska ETF Management LLC, et al.; Notice of Application

June 12, 2015.

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice of an application for an order under section 6(c) of the Investment Company Act of 1940 (''Act'') for an exemption from sections 2(a)(32), 5(a)(1), 22(d) and 22(e) of the Act and rule 22c–1 under the Act, under sections 6(c) and 17(b) of the Act for an exemption from sections 17(a)(1) and (a)(2) of the Act, and under section 12(d)(1)(J) of the Act for an exemption from sections 12(d)(1)(A) and (B) of the Act.

APPLICANTS: Plus Trust (''Trust''), New York Alaska ETF Management LLC (''New York Alaska Management''), and Foreside Fund Services, LLC.

SUMMARY: *Summary of Application:* Applicants request an order that permits: (a) Actively-managed series of certain open-end management investment companies to issue shares (''Shares'') redeemable in large aggregations only (''Creation Units''); (b) secondary market transactions in Shares to occur at negotiated market prices; (c) certain series to pay redemption proceeds, under certain circumstances, more than seven days from the tender of Shares for redemption; (d) certain affiliated persons of the series to deposit securities into, and receive securities from, the series in connection with the purchase and redemption of Creation Units; and (e) certain registered management investment companies and unit investment trusts outside of the same group of investment companies as the series to acquire Shares.

DATES: *Filing Dates:* The application was filed on January 23, 2015, and amended on April 29, 2015.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on July 7, 2015, 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: Secretary, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090. Applicants: Ofer Abarbanel, New York Alaska ETF Management LLC, 535 Fifth Avenue, 4th Floor, New York, NY 10017.

FOR FURTHER INFORMATION CONTACT: Robert H. Shapiro, Senior Counsel, at (202) 551–7758 or Mary Kay Frech, Branch Chief, at (202) 551–6821 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or for an applicant using the Company name box, at *http://www.sec.gov/search/search.htm* or by calling (202) 551–8090.

Applicants' Representations

1. The Trust is a Delaware statutory trust and is registered with the Commission as an open-end management investment company. The Trust is organized as a series fund with multiple series, but will initially be comprised of a single series, the 1–3 Month Enhanced Short Duration ETF, (the ''Initial Fund''). The Trust will be overseen by a board of trustees (for any entity, ''Board''). Subject to market conditions, applicants expect that the investment objective of the Initial Fund will be to seek current income consistent with preservation of capital and daily liquidity.

2. New York Alaska Management, a Nevada limited liability company registered as an investment adviser under the Investment Advisers Act of 1940 (''Advisers Act''), will be the investment adviser to the Initial Fund. The Adviser (as defined below), subject to the oversight and authority of the Board, will develop the overall investment program for each Fund (as defined below). The Adviser may enter into sub-advisory agreements with one or more investment advisers, each of which will act as sub-adviser to a Fund (each a ''Sub-Adviser''). Applicants state that each Sub-Adviser will be registered, or not subject to registration, under the Advisers Act.

3. The Board will select and approve Foreside Fund Services, LLC, a Delaware limited liability company, to act as the distributor and principal underwriter of the Funds (the ''Initial Distributor'') pursuant to a distribution agreement between the Initial Distributor and the Trust. The Trust may also enter into additional distribution agreements with one or more other broker or dealer registered under the Securities Exchange Act of 1934 (the ''Exchange Act'' and such persons registered under the Exchange Act, ''Brokers'') (each, a ''Future Distributor'' and, together with the Initial Distributor, each, a ''Distributor''). The Distributors will act as distributor and principal underwriter of one or more of the Funds and will distribute Shares on an agency basis. The Distributor of any Fund may be an affiliated person or an affiliated person of an affiliated person of that Fund's Adviser and/or Sub-Advisers. No Distributor, Adviser, Sub-Adviser, Trust, or Fund is, or will be, affiliated with any national securities exchange, as defined in section 2(a)(26) of the Act (''Stock Exchange'').

4. Applicants request that the order apply not only to the Initial Fund but also to any future series of the Trust as well as other future open-end management companies offering Shares that may utilize active management investment strategies (collectively, ''Future Funds''). Any Future Fund will (a) be advised by New York Alaska Management or an entity controlling, controlled by, or under common control with New York Alaska Management (New York Alaska Management and each such other entity and any successor thereto included in the term ''Adviser''),[1] and (b) comply with the terms and conditions of the application.[2] The Initial Fund and Future Funds together are the ''Funds.''[3] Each Fund will consist of a portfolio of securities (including fixed income securities and/or equity securities) and/or currencies traded in the U.S. and/or non-U.S. markets, and derivatives, other assets, and other investment positions (''Portfolio Instruments'').[4] Funds may invest in ''Depositary Receipts.''[5] Each Fund will operate as an actively managed exchange-traded fund (''ETF'').

5. Applicants request that any exemption under section 12(d)(1)(J) apply to: (1) With respect to section 12(d)(1)(B), any Fund that is currently or subsequently part of the same ''group of investment companies'' as the Initial Fund within the meaning of section 12(d)(1)(G)(ii) of the Act as well as any principal underwriter for the Funds and any Brokers selling Shares of a Fund to an Investing Fund (as defined below); and (2) with respect to section 12(d)(1)(A), each management investment company or unit investment trust registered under the Act that is not part of the same ''group of investment companies'' as the Funds, and that enters into a FOF Participation Agreement (as defined below) to acquire Shares of a Fund (such management investment companies, ''Investing Management Companies,'' such unit investment trusts, ''Investing Trusts,'' and Investing Management Companies and Investing Trusts together, ''Investing Funds''). Investing Funds do not include the Funds.[6]

6. Applicants anticipate that a Creation Unit will consist of a fixed number of Shares (*e.g.,* at least 25,000). Applicants anticipate that the trading

[1] For the purposes of the requested order, a ''successor'' is limited to an entity that results from a reorganization into another jurisdiction or a change in the type of business organization.

[2] Any Adviser to a Future Fund will be registered as an investment adviser under the Advisers Act. All entities that currently intend to rely on the order are named as applicants. Any entity that relies on the order in the future will comply with the terms and conditions of the application.

[3] Applicants further request that the order apply to any Future Distributor of the Funds, which would be a Broker and would comply with the terms and conditions of the application.

[4] If a Fund invests in derivatives, then (a) the Fund's Board will periodically review and approve the Fund's use of derivatives and how the Adviser assesses and manages risk with respect to the Fund's use of derivatives and (b) the Fund's disclosure of its use of derivatives in its offering documents and periodic reports will be consistent with relevant Commission and staff guidance.

[5] Depositary Receipts are typically issued by a financial institution, a ''depository,'' and evidence ownership in a security or pool of securities that have been deposited with the depository. A Fund will not invest in any Depositary Receipts that the Adviser or Sub-Adviser deems to be illiquid or for which pricing information is not readily available. No affiliated persons of applicants, any Future Fund, any Adviser or any Sub-Adviser will serve as the depositary bank for any Depositary Receipts held by a Fund.

[6] An Investing Fund may rely on the order only to invest in Funds and not in any other registered investment company.

price of a Share will range from $10 to $100. All orders to purchase Creation Units must be placed with a Distributor by or through a party that has entered into a participant agreement with the Distributor and the transfer agent of the Fund (''Authorized Participant'') with respect to the creation and redemption of Creation Units. An Authorized Participant is either: (a) A Broker or other participant, in the Continuous Net Settlement System of the National Securities Clearing Corporation (''NSCC''), a clearing agency registered with the Commission and affiliated with the Depository Trust Company (''DTC''), or (b) a participant in the DTC (''DTC Participant''). An investor does not have to be an Authorized Participant, but must place an order through, and make appropriate arrangements with, an Authorized Participant.

7. In order to keep costs low and permit each Fund to be as fully invested as possible, Shares will be purchased and redeemed in Creation Units and generally on an in-kind basis. Except where the purchase or redemption will include cash under the limited circumstances specified below, purchasers will be required to purchase Creation Units by making an in-kind deposit of specified instruments (''Deposit Instruments''), and shareholders redeeming their Shares will receive an in-kind transfer of specified instruments (''Redemption Instruments'').[7] On any given Business Day,[8] the names and quantities of the instruments that constitute the Deposit Instruments and the names and quantities of the instruments that constitute the Redemption Instruments will be identical, and these instruments may be referred to, in the case of either a purchase or redemption, as the ''Creation Basket.'' In addition, the Creation Basket will correspond pro rata to the positions in a Fund's portfolio (including cash positions),[9] except: (a) In the case of bonds, for minor differences when it is impossible to break up bonds beyond certain minimum sizes needed for transfer and settlement; (b) for minor differences when rounding is necessary to eliminate fractional shares or lots that are not tradeable round lots; [10] or (c) TBA Transactions,[11] short positions and other positions that cannot be transferred in kind [12] will be excluded from the Creation Basket.[13] If there is a difference between NAV attributable to a Creation Unit and the aggregate market value of the Creation Basket exchanged for the Creation Unit, the party conveying instruments with the lower value will also pay to the other an amount in cash equal to that difference (the ''Cash Amount'').

8. Purchases and redemptions of Creation Units may be made in whole or in part on a cash basis, rather than in kind, solely under the following circumstances: (a) To the extent there is a Cash Amount, as described above; (b) if, on a given Business Day, the Fund announces before the open of trading that all purchases, all redemptions or all purchases and redemptions on that day will be made entirely in cash; (c) if, upon receiving a purchase or redemption order from an Authorized Participant, the Fund determines to require the purchase or redemption, as applicable, to be made entirely in cash; (d) if, on a given Business Day, the Fund requires all Authorized Participants purchasing or redeeming Shares on that day to deposit or receive (as applicable) cash in lieu of some or all of the Deposit Instruments or Redemption Instruments, respectively, solely because: (i) Such instruments are not eligible for transfer through either the NSCC or DTC; or (ii) in the case of Funds holding non-U.S. investments (''Global Funds''), such instruments are not eligible for trading due to local trading restrictions, local restrictions on securities transfers or other similar circumstances; or (e) if the Fund permits an Authorized Participant to deposit or receive (as applicable) cash in lieu of some or all of the Deposit Instruments or Redemption Instruments, respectively, solely because: (i) Such instruments are, in the case of the purchase of a Creation Unit, not available in sufficient quantity; (ii) such instruments are not eligible for trading by an Authorized Participant or the investor on whose behalf the Authorized Participant is acting; or (iii) a holder of Shares of a Global Fund would be subject to unfavorable income tax treatment if the holder receives redemption proceeds in kind.[14]

9. Each Business Day, before the open of trading on a Stock Exchange on which a Fund's Shares are listed, such Fund will cause to be published through the NSCC the names and quantities of the instruments comprising the Creation Basket, as well as the estimated Cash Amount (if any), for that day. The published Creation Basket will apply until a new Creation Basket is announced on the following Business Day, and there will be no intra-day changes to the Creation Basket except to correct errors in the published Creation Basket. The Stock Exchange will disseminate every 15 seconds throughout the trading day through the facilities of the Consolidated Tape Association an amount representing, on a per Share basis, the sum of the current value of the Portfolio Instruments that were publicly disclosed prior to the commencement of trading in Shares on the Stock Exchange.

10. A Fund may recoup the settlement costs charged by NSCC and DTC by imposing a transaction fee on investors purchasing or redeeming Creation Units (''Transaction Fee''). The Transaction Fee will be borne only by purchasers and redeemers of Creation Units and will be limited to amounts that have been determined appropriate by the Adviser to defray the transaction expenses that will be incurred by a Fund when an investor purchases or redeems Creation Units.[15]

11. All orders to purchase Creation Units will be placed with a Distributor by or through an Authorized Participant and the Distributor will transmit all purchase orders to the relevant Fund. The Distributor will be responsible for delivering a prospectus (''Prospectus'') to those persons purchasing Creation Units and for maintaining records of both the orders placed with it and the confirmations of acceptance furnished by it.

12. Shares will be listed on a Stock Exchange and traded in the secondary

[7] The Funds must comply with the federal securities laws in accepting Deposit Instruments and satisfying redemptions with Redemption Instruments, including that the Deposit Instruments and Redemption Instruments are sold in transactions that would be exempt from registration under the Securities Act of 1933 (''Securities Act''). In accepting Deposit Instruments and satisfying redemptions with Redemption Instruments that are restricted securities eligible for resale pursuant to Rule 144A under the Securities Act, the Funds will comply with the conditions of Rule 144A.

[8] Each Fund will sell and redeem Creation Units on any day the Fund is open, including as required by section 22(e) of the Act (each, a ''Business Day'').

[9] The portfolio used for this purpose will be the same portfolio used to calculate the Fund's net asset value (''NAV'') for that Business Day.

[10] A tradeable round lot for a security will be the standard unit of trading in that particular type of security in its primary market.

[11] A TBA Transaction is a method of trading mortgage-backed securities. In a TBA Transaction, the buyer and seller agree on general trade parameters such as agency, settlement date, par amount and price.

[12] This includes instruments that can be transferred in kind only with the consent of the original counterparty to the extent the Fund does not intend to seek such consents.

[13] Because these instruments will be excluded from the Creation Basket, their value will be reflected in the determination of the Cash Amount (defined below).

[14] A ''custom order'' is any purchase or redemption of Shares made in whole or in part on a cash basis in reliance on clause (e)(i) or (e)(ii).

[15] In all cases, the Transaction Fee will be limited in accordance with the requirements of the Commission applicable to open-end management investment companies offering redeemable securities.

market in the same manner as other equity securities and ETFs. Applicants expect that the Stock Exchange where each Fund is listed will select, designate or appoint one or more specialists or market makers (collectively, ''Market Makers'') for the Shares of each Fund.[16] The price of Shares trading on the Stock Exchange will be based on a current bid/offer in the secondary market. Transactions involving the purchases and sales of Shares on the Stock Exchange will be subject to customary brokerage commissions and charges.

13. Applicants expect that purchasers of Creation Units will include institutional investors and arbitrageurs. Market Makers, acting in their unique role to provide a fair and orderly secondary market for Shares, also may purchase Creation Units for use in their own market making activities. Applicants expect that secondary market purchasers of Shares will include both institutional and retail investors.[17] Applicants expect that arbitrage opportunities created by the ability to continually purchase or redeem Creation Units at NAV should ensure that the Shares will not trade at a material discount or premium in relation to their NAV.

14. Shares will not be individually redeemable and owners of Shares may acquire those Shares from a Fund, or tender such shares for redemption to the Fund, in Creation Units only. To redeem, an investor must accumulate enough Shares to constitute a Creation Unit. Redemption requests must be placed by or through an Authorized Participant.

15. Neither the Trust nor any Fund will be marketed or otherwise held out as a ''mutual fund.'' Instead, each Fund will be marketed as an ''actively managed exchange-traded fund.'' No Fund marketing materials (other than as required in the Prospectus) will reference an ''open-end fund'' or ''mutual fund,'' except to compare and contrast a Fund with conventional mutual funds. In all marketing materials where the features or method of obtaining, buying or selling Shares traded on the Stock Exchange are described, there will be an appropriate statement to the effect that Shares are not individually redeemable.

16. The Funds' Web site, which will be publicly available prior to the public offering of Shares, will include a Prospectus for each Fund that may be downloaded and additional quantitative information updated on a daily basis, including, on a per Share basis for each Fund, the prior Business Day's NAV and the market closing price or mid-point of the bid/ask spread at the time of the calculation of such NAV (''Bid/Ask Price''),[18] and a calculation of the premium or discount of the market closing price or Bid/Ask Price against such NAV. On each Business Day, before commencement of trading in Shares on the Stock Exchange, the Fund will disclose on its Web site the identities and quantities of the Portfolio Instruments held by the Fund (including any short positions held in securities) that will form the basis for the Fund's calculation of NAV at the end of the Business Day.[19] The Web site and information will be publicly available at no charge.

Applicants' Legal Analysis

1. Applicants request an order under section 6(c) of the Act for an exemption from sections 2(a)(32), 5(a)(1), 22(d) and 22(e) of the Act and rule 22c–1 under the Act, under sections 6(c) and 17(b) of the Act for an exemption from sections 17(a)(1) and 17(a)(2) of the Act, and under section 12(d)(1)(J) of the Act for an exemption from sections 12(d)(1)(A) and (B) of the Act.

2. Section 6(c) of the Act provides that the Commission may exempt any person, security or transaction, or any class of persons, securities or transactions, from any provisions of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Section 17(b) of the Act authorizes the Commission to exempt a proposed transaction from section 17(a) of the Act if evidence establishes that the terms of the transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned, and the proposed transaction is consistent with the policies of the registered investment company and the general provisions of the Act. Section 12(d)(1)(J) of the Act provides that the Commission may exempt any person, security, or transaction, or any class or classes of persons, securities or transactions, from any provision of section 12(d)(1) if the exemption is consistent with the public interest and the protection of investors.

Sections 2(a)(32) and 5(a)(1) of the Act

3. Section 5(a)(1) of the Act defines an ''open-end company'' as a management investment company that is offering for sale or has outstanding any redeemable security of which it is the issuer. Section 2(a)(32) of the Act defines a redeemable security as any security, other than short-term paper, under the terms of which the holder, upon its presentation to the issuer, is entitled to receive approximately a proportionate share of the issuer's current net assets, or the cash equivalent. Because Shares will not be individually redeemable, applicants request an order that would permit the Trust to register as an open-end management investment company and redeem Shares in Creation Units only. Applicants state that investors may purchase Shares in Creation Units from each Fund and redeem Creation Units from each Fund. Applicants further state that because the market price of Creation Units will be disciplined by arbitrage opportunities, investors should be able to sell Shares in the secondary market at prices that do not vary materially from their NAV.

Section 22(d) of the Act and Rule 22c–1 Under the Act

4. Section 22(d) of the Act, among other things, prohibits a dealer from selling a redeemable security that is currently being offered to the public by or through a principal underwriter, except at a current public offering price described in the prospectus. Rule 22c–1 under the Act generally requires that a dealer selling, redeeming, or repurchasing a redeemable security do so only at a price based on the NAV

[16] If Shares are listed on The NASDAQ Stock Market LLC (''Nasdaq'') or a similar electronic Stock Exchange (including NYSE Arca), one or more member firms of that Stock Exchange will act as Market Makers and maintain a market for Shares trading on that Stock Exchange. On Nasdaq, no particular Market Maker would be contractually obligated to make a market in Shares. However, the listing requirements on Nasdaq, for example, stipulate that at least two Market Makers must be registered in Shares to maintain a listing. In addition, on Nasdaq and NYSE Arca, registered Market Makers are required to make a continuous two-sided market or subject themselves to regulatory sanctions. No Market Maker will be an affiliated person or an affiliated person of an affiliated person, of the Funds, except within the meaning of section 2(a)(3)(A) or (C) of the Act due solely to ownership of Shares, as discussed below.

[17] Shares will be registered in book-entry form only and the Funds will not issue Share certificates. DTC or its nominee will be the record or registered owner of all outstanding Shares. Beneficial ownership of Shares will be shown on the records of DTC or DTC Participants.

[18] Applicants state that the Bid/Ask Price of a Fund will be determined using the highest bid and the lowest offer on the Stock Exchange as of the time of calculation of such Fund's NAV. The records relating to Bid/Ask Prices will be retained by the Funds or their service providers.

[19] Applicants note that under accounting procedures followed by the Funds, trades made on the prior Business Day will be booked and reflected in NAV on the current Business Day. Accordingly, each Fund will be able to disclose at the beginning of the Business Day the portfolio that will form the basis for its NAV calculation at the end of such Business Day.

next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security. Applicants state that secondary market trading in Shares will take place at negotiated prices, not at a current offering price described in the Prospectus, and not at a price based on NAV. Thus, purchases and sales of Shares in the secondary market will not comply with section 22(d) of the Act and rule 22c–1 under the Act. Applicants request an exemption under section 6(c) from these provisions to permit the Shares to trade at negotiated prices.

5. Applicants assert that the concerns sought to be addressed by section 22(d) of the Act and rule 22c–1 under the Act with respect to pricing are equally satisfied by the proposed method of pricing Shares. Applicants maintain that while there is little legislative history regarding section 22(d), its provisions, as well as those of rule 22c–1, appear to have been designed to (a) prevent dilution caused by certain riskless-trading schemes by principal underwriters and contract dealers, (b) prevent unjust discrimination or preferential treatment among buyers resulting from sales at different prices, and (c) assure an orderly distribution system of investment company shares by eliminating price competition from brokers offering shares at less than the published sales price and repurchasing shares at more than the published redemption price.

6. Applicants believe that none of these purposes will be thwarted by permitting Shares to trade in the secondary market at negotiated prices. Applicants state that (a) secondary market trading in Shares does not involve the Funds as parties and cannot result in dilution of an investment in Shares, and (b) to the extent different prices exist during a given trading day, or from day to day, such variances occur as a result of third-party market forces, such as supply and demand, not as a result of unjust or discriminatory manipulation. Therefore, applicants assert that secondary market transactions in Shares will not lead to discrimination or preferential treatment among purchasers. Finally, applicants contend that the proposed distribution system will be orderly because arbitrage activity should ensure that the difference between the market price of Shares and their NAV remains narrow.

Section 22(e) of the Act

7. Section 22(e) of the Act generally prohibits a registered investment company from suspending the right of redemption or postponing the date of payment of redemption proceeds for more than seven days after the tender of a security for redemption. Applicants observe that settlement of redemptions of Creation Units of Global Funds is contingent not only on the settlement cycle of the U.S. securities markets but also on the delivery cycles present in foreign markets in which those Funds invest. Applicants have been advised that, under certain circumstances, the delivery cycles for transferring Portfolio Instruments to redeeming investors, coupled with local market holiday schedules, will require a delivery process of up to 14 calendar days. Applicants therefore request relief from section 22(e) in order to provide payment or satisfaction of redemptions within the maximum number of calendar days required for such payment or satisfaction in the principal local markets where transactions in the Portfolio Instruments of each Global Fund customarily clear and settle, but in all cases no later than 14 calendar days following the tender of a Creation Unit.[20]

8. Applicants submit that section 22(e) was designed to prevent unreasonable, undisclosed and unforeseen delays in the actual payment of redemption proceeds. Applicants state that allowing redemption payments for Creation Units of a Fund to be made within a maximum of 14 calendar days would not be inconsistent with the spirit and intent of section 22(e). Applicants state each Global Fund's statement of additional information (''SAI'') will disclose those local holidays (over the period of at least one year following the date of the SAI), if any, that are expected to prevent the delivery of redemption proceeds in seven calendar days and the maximum number of days needed to deliver the proceeds for each affected Global Fund. Applicants are not seeking relief from section 22(e) with respect to Global Funds that do not affect redemptions in-kind.

Section 12(d)(1) of the Act

9. Section 12(d)(1)(A) of the Act prohibits a registered investment company from acquiring shares of an investment company if such securities represent more than 3% of the total outstanding voting stock of the acquired company, more than 5% of the total assets of the acquiring company, or, together with the securities of any other investment companies, more than 10% of the total assets of the acquiring company. Section 12(d)(1)(B) of the Act prohibits a registered open-end investment company, its principal underwriter, or any other broker or dealer from selling its shares to another investment company if the sale will cause the acquiring company to own more than 3% of the acquired company's voting stock, or if the sale will cause more than 10% of the acquired company's voting stock to be owned by investment companies generally.

10. Applicants request relief to permit Investing Funds to acquire Shares in excess of the limits in section 12(d)(1)(A) of the Act and to permit the Funds, their principal underwriters and any Brokers to sell Shares to Investing Funds in excess of the limits in section 12(d)(l)(B) of the Act. Applicants submit that the proposed conditions to the requested relief address the concerns underlying the limits in section 12(d)(1), which include concerns about undue influence, excessive layering of fees and overly complex structures.

11. Applicants submit that their proposed conditions address any concerns regarding the potential for undue influence. To limit the control that an Investing Fund may have over a Fund, applicants propose a condition prohibiting the adviser of an Investing Management Company (''Investing Fund Adviser''), sponsor of an Investing Trust (''Sponsor''), any person controlling, controlled by, or under common control with the Investing Fund Adviser or Sponsor, and any investment company or issuer that would be an investment company but for sections 3(c)(1) or 3(c)(7) of the Act that is advised or sponsored by the Investing Fund Adviser, the Sponsor, or any person controlling, controlled by, or under common control with the Investing Fund Adviser or Sponsor (''Investing Fund's Advisory Group'') from controlling (individually or in the aggregate) a Fund within the meaning of section 2(a)(9) of the Act. The same prohibition would apply to any sub-adviser to an Investing Management Company (''Investing Fund Sub-Adviser''), any person controlling, controlled by or under common control with the Investing Fund Sub-Adviser, and any investment company or issuer that would be an investment company but for sections 3(c)(1) or 3(c)(7) of the Act (or portion of such investment company or issuer) advised or sponsored by the Investing Fund Sub-Adviser or any person controlling, controlled by or under common control with the Investing Fund Sub-Adviser

[20] Applicants acknowledge that no relief obtained from the requirements of section 22(e) will affect any obligations that it may otherwise have under rule 15c6–1 under the Exchange Act. Rule 15c6–1 requires that most securities transactions be settled within three business days of the trade date.

(''Investing Fund's Sub-Advisory Group'').

12. Applicants propose a condition to ensure that no Investing Fund or Investing Fund Affiliate [21] (except to the extent it is acting in its capacity as an investment adviser to a Fund) will cause a Fund to purchase a security in an offering of securities during the existence of an underwriting or selling syndicate of which a principal underwriter is an Underwriting Affiliate (''Affiliated Underwriting''). An ''Underwriting Affiliate'' is a principal underwriter in any underwriting or selling syndicate that is an officer, director, member of an advisory board, Investing Fund Adviser, Investing Fund Sub-Adviser, employee or Sponsor of the Investing Fund, or a person of which any such officer, director, member of an advisory board, Investing Fund Adviser, Investing Fund Sub-Adviser, employee or Sponsor is an affiliated person (except any person whose relationship to the Fund is covered by section 10(f) of the Act is not an Underwriting Affiliate).

13. Applicants propose several conditions to address the potential for layering of fees. Applicants note that the Board of any Investing Management Company, including a majority of the directors or trustees who are not ''interested persons'' within the meaning of section 2(a)(19) of the Act (''independent directors or trustees''), will be required to find that the advisory fees charged under the contract are based on services provided that will be in addition to, rather than duplicative of, services provided under the advisory contract of any Fund in which the Investing Management Company may invest. Applicants also state that any sales charges and/or service fees charged with respect to shares of an Investing Fund will not exceed the limits applicable to a fund of funds as set forth in NASD Conduct Rule 2830.[22]

14. Applicants submit that the proposed arrangement will not create an overly complex fund structure. Applicants note that a Fund will be prohibited from acquiring securities of any investment company or company relying on section 3(c)(1) or 3(c)(7) of the Act in excess of the limits contained in section 12(d)(1)(A) of the Act, except to the extent permitted by exemptive relief from the Commission permitting the Fund to purchase shares of other investment companies for short-term cash management purposes.

15. To ensure that an Investing Fund is aware of the terms and conditions of the requested order, the Investing Funds must enter into an agreement with the respective Funds (''FOF Participation Agreement''). The FOF Participation Agreement will include an acknowledgement from the Investing Fund that it may rely on the order only to invest in a Fund and not in any other investment company.

Sections 17(a)(1) and (2) of the Act

16. Section 17(a) of the Act generally prohibits an affiliated person of a registered investment company, or an affiliated person of such a person (''second tier affiliate''), from selling any security to or purchasing any security from the company. Section 2(a)(3) of the Act defines ''affiliated person'' to include any person directly or indirectly owning, controlling, or holding with power to vote, 5% or more of the outstanding voting securities of the other person and any person directly or indirectly controlling, controlled by, or under common control with, the other person. Section 2(a)(9) of the Act defines ''control'' as the power to exercise a controlling influence over the management or policies of a company and provides that a control relationship will be presumed where one person owns more than 25% of another person's voting securities. Each Fund may be deemed to be controlled by an Adviser and hence affiliated persons of each other. In addition, the Funds may be deemed to be under common control with any other registered investment company (or series thereof) advised by an Adviser (an ''Affiliated Fund'').

17. Applicants request an exemption under sections 6(c) and 17(b) of the Act from sections 17(a)(1) and 17(a)(2) of the Act to permit in-kind purchases and redemptions of Creation Units by persons that are affiliated persons or second tier affiliates of the Funds solely by virtue of one or more of the following: (a) Holding 5% or more, or in excess of 25% of the outstanding Shares of one or more Funds; (b) having an affiliation with a person with an ownership interest described in (a); or (c) holding 5% or more, or more than 25% of the Shares of one or more Affiliated Funds.[23] Applicants also request an exemption in order to permit a Fund to sell its Shares to and redeem its Shares from, and engage in the in-kind transactions that would accompany such sales and redemptions with, certain Investing Funds of which the Funds are affiliated persons or second-tier affiliates.[24]

18. Applicants assert that no useful purpose would be served by prohibiting such affiliated persons from making in-kind purchases or in-kind redemptions of Shares of a Fund in Creation Units. Absent the unusual circumstances discussed in the application, the Deposit Instruments and Redemption Instruments available for a Fund will be the same for all purchases and redemptions, respectively, and will correspond *pro rata* to the Fund's Portfolio Instruments. The deposit procedures for in-kind purchases of Creation Units and the redemption procedures for in-kind redemptions will be effected in exactly the same manner for all purchases and redemptions, regardless of size or number. Deposit Instruments and Redemption Instruments will be valued in the same manner as those Portfolio Instruments currently held by the relevant Funds, and the valuation of the Deposit Instruments and Redemption Instruments will be made in the same manner and on the same terms, regardless of the identity of the purchaser or redeemer. Applicants do not believe that in-kind purchases and redemptions will result in abusive self-dealing or overreaching of the Fund.

19. Applicants also submit that the sale of Shares to and redemption of Shares from an Investing Fund meets the standards for relief under sections 17(b) and 6(c) of the Act. Applicants note that any consideration paid for the purchase or redemption of Shares directly from a Fund will be based on the NAV of the Fund in accordance with policies and procedures set forth in the Fund's registration statement.[25] The

[21] An ''Investing Fund Affiliate'' is any Investing Fund Adviser, Investing Fund Sub-Adviser, Sponsor, promoter and principal underwriter of an Investing Fund, and any person controlling, controlled by or under common control with any of these entities. ''Fund Affiliate'' is an investment adviser, promoter, or principal underwriter of a Fund or any person controlling, controlled by or under common control with any of these entities.

[22] Any reference to NASD Conduct Rule 2830 includes any successor or replacement rule that may be adopted by the Financial Industry Regulatory Authority (''FINRA'').

[23] Applicants are not seeking relief from section 17(a) for, and the requested relief will not apply to, transactions where a Fund could be deemed an affiliated person, or an affiliated person of an affiliated person, of an Investing Fund because an investment adviser to the Funds is also an investment adviser to an Investing Fund.

[24] Applicants expect most Investing Funds will purchase Shares in the secondary market and will not purchase Creation Units directly from a Fund. To the extent that purchases and sales of Shares occur in the secondary market and not through principal transactions directly between an Investing Fund and a Fund, relief from section 17(a) would not be necessary. However, the requested relief would apply to direct sales of Shares in Creation Units by a Fund to an Investing Fund and redemptions of those Shares. The requested relief is intended to also cover the in-kind transactions that may accompany such sales and redemptions.

[25] Applicants acknowledge that the receipt of compensation by (a) an affiliated person of an

FOF Participation Agreement will require any Investing Fund that purchases Creation Units directly from a Fund to represent that the purchase of Creation Units from a Fund by an Investing Fund will be accomplished in compliance with the investment restrictions of the Investing Fund and will be consistent with the investment policies set forth in the Investing Fund's registration statement. Applicants also state that the proposed transactions are consistent with the general purposes of the Act and appropriate in the public interest.

Applicants' Conditions

Applicants agree that any order of the Commission granting the requested relief will be subject to the following conditions:

A. ETF Relief

1. As long as a Fund operates in reliance on the requested order, the Shares of the Fund will be listed on a Stock Exchange.

2. Neither the Trust nor any Fund will be advertised or marketed as an open-end investment company or a mutual fund. Any advertising material that describes the purchase or sale of Creation Units or refers to redeemability will prominently disclose that the Shares are not individually redeemable and that owners of the Shares may acquire those Shares from the Fund and tender those Shares for redemption to the Fund in Creation Units only.

3. The Web site for the Funds, which is and will be publicly accessible at no charge, will contain, on a per Share basis, for each Fund the prior Business Day's NAV and the market closing price or Bid/Ask Price, and a calculation of the premium or discount of the market closing price or Bid/Ask Price against such NAV.

4. On each Business Day, before commencement of trading in Shares on the Stock Exchange, the Fund will disclose on its Web site the identities and quantities of the Portfolio Instruments held by the Fund that will form the basis for the Fund's calculation of NAV at the end of the Business Day.

5. Neither the Adviser nor any Sub-Adviser, directly or indirectly, will cause any Authorized Participant (or any investor on whose behalf an Authorized Participant may transact with the Fund) to acquire any Deposit Instrument for the Fund through a transaction in which the Fund could not engage directly.

6. The requested relief to permit ETF operations will expire on the effective date of any Commission rule under the Act that provides relief permitting the operation of actively-managed exchange-traded funds.

B. Section 12(d)(1) Relief

1. The members of the Investing Fund's Advisory Group will not control (individually or in the aggregate) a Fund within the meaning of section 2(a)(9) of the Act. The members of the Investing Fund's Sub-Advisory Group will not control (individually or in the aggregate) a Fund within the meaning of section 2(a)(9) of the Act. If, as a result of a decrease in the outstanding voting securities of a Fund, the Investing Fund's Advisory Group or the Investing Fund's Sub-Advisory Group, each in the aggregate, becomes a holder of more than 25 percent of the outstanding voting securities of a Fund, it will vote its Shares of the Fund in the same proportion as the vote of all other holders of the Fund's Shares. This condition does not apply to the Investing Fund's Sub-Advisory Group with respect to a Fund for which the Investing Fund Sub-Adviser or a person controlling, controlled by or under common control with the Investing Fund Sub-Adviser acts as the investment adviser within the meaning of section 2(a)(20)(A) of the Act.

2. No Investing Fund or Investing Fund Affiliate will cause any existing or potential investment by the Investing Fund in a Fund to influence the terms of any services or transactions between the Investing Fund or an Investing Fund Affiliate and the Fund or a Fund Affiliate.

3. The board of directors or trustees of an Investing Management Company, including a majority of the independent directors or trustees, will adopt procedures reasonably designed to ensure that the Investing Fund Adviser and any Investing Fund Sub-Adviser are conducting the investment program of the Investing Management Company without taking into account any consideration received by the Investing Management Company or an Investing Fund Affiliate from a Fund or a Fund Affiliate in connection with any services or transactions.

4. Once an investment by an Investing Fund in the Shares of a Fund exceeds the limit in section 12(d)(1)(A)(i) of the Act, the Board of a Fund, including a majority of the independent directors or trustees, will determine that any consideration paid by the Fund to the Investing Fund or an Investing Fund Affiliate in connection with any services or transactions: (i) Is fair and reasonable in relation to the nature and quality of the services and benefits received by the Fund; (ii) is within the range of consideration that the Fund would be required to pay to another unaffiliated entity in connection with the same services or transactions; and (iii) does not involve overreaching on the part of any person concerned. This condition does not apply with respect to any services or transactions between a Fund and its investment adviser(s), or any person controlling, controlled by or under common control with such investment adviser(s).

5. The Investing Fund Adviser, or Trustee or Sponsor, as applicable, will waive fees otherwise payable to it by the Investing Fund in an amount at least equal to any compensation (including fees received pursuant to any plan adopted by a Fund under rule 12b–1 under the Act) received from a Fund by the Investing Fund Adviser, or Trustee or Sponsor, or an affiliated person of the Investing Fund Adviser, or Trustee or Sponsor, other than any advisory fees paid to the Investing Fund Adviser, or Trustee or Sponsor, or its affiliated person by the Fund, in connection with the investment by the Investing Fund in the Fund. Any Investing Fund Sub-Adviser will waive fees otherwise payable to the Investing Fund Sub-Adviser, directly or indirectly, by the Investing Management Company in an amount at least equal to any compensation received from a Fund by the Investing Fund Sub-Adviser, or an affiliated person of the Investing Fund Sub-Adviser, other than any advisory fees paid to the Investing Fund Sub-Adviser or its affiliated person by the Fund, in connection with the investment by the Investing Management Company in the Fund made at the direction of the Investing Fund Sub-Adviser. In the event that the Investing Fund Sub-Adviser waives fees, the benefit of the waiver will be passed through to the Investing Management Company.

6. No Investing Fund or Investing Fund Affiliate (except to the extent it is acting in its capacity as an investment adviser to a Fund) will cause a Fund to purchase a security in an Affiliated Underwriting.

7. The Board of a Fund, including a majority of the independent directors or trustees, will adopt procedures reasonably designed to monitor any purchases of securities by the Fund in an Affiliated Underwriting, once an investment by an Investing Fund in the

Investing Fund, or an affiliated person of such person, for the purchase by the Investing Fund of Shares of the Fund or (b) an affiliated person of a Fund, or an affiliated person of such person, for the sale by the Fund of its Shares to an Investing Fund, may be prohibited by section 17(e)(1) of the Act. The FOF Participation Agreement also will include this acknowledgment.

securities of the Fund exceeds the limit of section 12(d)(1)(A)(i) of the Act, including any purchases made directly from an Underwriting Affiliate. The Board will review these purchases periodically, but no less frequently than annually, to determine whether the purchases were influenced by the investment by the Investing Fund in the Fund. The Board will consider, among other things: (i) Whether the purchases were consistent with the investment objectives and policies of the Fund; (ii) how the performance of securities purchased in an Affiliated Underwriting compares to the performance of comparable securities purchased during a comparable period of time in underwritings other than Affiliated Underwritings or to a benchmark such as a comparable market index; and (iii) whether the amount of securities purchased by the Fund in Affiliated Underwritings and the amount purchased directly from an Underwriting Affiliate have changed significantly from prior years. The Board will take any appropriate actions based on its review, including, if appropriate, the institution of procedures designed to assure that purchases of securities in Affiliated Underwritings are in the best interest of shareholders of the Fund.

8. Each Fund will maintain and preserve permanently in an easily accessible place a written copy of the procedures described in the preceding condition, and any modifications to such procedures, and will maintain and preserve for a period of not less than six years from the end of the fiscal year in which any purchase in an Affiliated Underwriting occurred, the first two years in an easily accessible place, a written record of each purchase of securities in Affiliated Underwritings once an investment by an Investing Fund in the securities of the Fund exceeds the limit of section 12(d)(1)(A)(i) of the Act, setting forth from whom the securities were acquired, the identity of the underwriting syndicate's members, the terms of the purchase, and the information or materials upon which the Board's determinations were made.

9. Before investing in a Fund in excess of the limits in section 12(d)(1)(A)(i), an Investing Fund will execute a FOF Participation Agreement with the Fund stating that their respective boards of directors or trustees and their investment advisers, or Trustee and Sponsor, as applicable, understand the terms and conditions of the order, and agree to fulfill their responsibilities under the order. At the time of its investment in Shares of a Fund in excess of the limit in section 12(d)(1)(A)(i), an Investing Fund will notify the Fund of the investment. At such time, the Investing Fund will also transmit to the Fund a list of the names of each Investing Fund Affiliate and Underwriting Affiliate. The Investing Fund will notify the Fund of any changes to the list as soon as reasonably practicable after a change occurs. The Fund and the Investing Fund will maintain and preserve a copy of the order, the FOF Participation Agreement, and the list with any updated information for the duration of the investment and for a period of not less than six years thereafter, the first two years in an easily accessible place.

10. Before approving any advisory contract under section 15 of the Act, the board of directors or trustees of each Investing Management Company, including a majority of the independent directors or trustees, will find that the advisory fees charged under such contract are based on services provided that will be in addition to, rather than duplicative of, the services provided under the advisory contract(s) of any Fund in which the Investing Management Company may invest. These findings and their basis will be recorded fully in the minute books of the appropriate Investing Management Company.

11. Any sales charges and/or service fees charged with respect to shares of an Investing Fund will not exceed the limits applicable to a fund of funds as set forth in NASD Conduct Rule 2830.

12. No Fund relying on the section 12(d)(1) relief will acquire securities of any investment company or company relying on section 3(c)(1) or 3(c)(7) of the Act in excess of the limits contained in section 12(d)(1)(A) of the Act, except to the extent permitted by exemptive relief from the Commission permitting the Fund to purchase shares of other investment companies for short-term cash management purposes.

For the Commission, by the Division of Investment Management, under delegated authority.

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–14969 Filed 6–17–15; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–75166; File No. SR–BATS–2015–43]

Regulatory Organizations; BATS Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Rule 19.3(i)

June 12, 2015.

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 June 5, 2015, BATS Exchange, Inc. (the ''Exchange'' or ''BATS'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange has designated this proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f)(6) thereunder,[4] which renders it effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange filed a proposal to allow the listing of options overlying portfolio depositary receipts and index fund shares (collectively, ''ETFs'') that are listed pursuant to generic listing standards on equities exchanges for series of ETFs based on international or global indexes under which a comprehensive surveillance sharing agreement is not required.

The text of the proposed rule change is available at the Exchange's Web site at *www.batstrading.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

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6).

Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange is proposing to amend Rule 19.3(i) to allow the Exchange's options platform (''BATS Options'') to list options overlying ETFs that are listed pursuant to generic listing standards on equities exchanges for series of ETFs based on international or global indexes under which a comprehensive surveillance sharing agreement (''CSSA'') is not required.[5] This proposal will enable the Exchange to list and trade options on ETFs without a CSSA provided that the ETF is listed on an equities exchange pursuant to the generic listing standards that do not require a CSSA pursuant to Rule 19b–4(e) of the Exchange Act.[6] Rule 19b–4(e) provides that the listing and trading of a new derivative securities product by a self-regulatory organization (''SRO'') shall not be deemed a proposed rule change, pursuant to paragraph (c)(1) of Rule 19b–4, if the Commission has approved, pursuant to Section 19(b) of the Exchange Act, the SRO's trading rules, procedures, and listing standards for the product class that would include the new derivatives securities product and the SRO has a surveillance program for the product class.[7] In other words, the proposal will amend the listing standards to allow the Exchange to list and trade options on ETFs based on international or global indexes to a similar degree that they are allowed to be listed on several equities exchanges.[8]

Currently, BATS Options allows for the listing and trading of options on Fund Shares. Rule 19.3(i)(1)–(3) provide the listings standards for options on Fund Shares with non-U.S. component stocks, such as Fund Shares based on international or global indexes. Rule 19.3(i)(1) requires that any non-U.S. component stocks of an index or portfolio of stocks on which the Fund Shares are based that are not subject to a CSSA do not in the aggregate represent more than 50% of the weight of the index or portfolio. Rule 19.3(i)(2) requires stocks for which the primary market is in any one country that is not subject to a CSSA do not represent 20% or more of the weight of the index. Rule 19.3(i)(3) requires that stocks for which the primary market is in any two countries that are not subject to a CSSA do not represent 33% or more of the weight of the index.

The Exchange notes that the Commission has previously approved generic listing standards pursuant to Rule 19b–4(e) of the Exchange Act for ETFs based on indexes that consist of stocks listed on U.S. exchanges.[9] In general, the criteria for the underlying component stocks in the international and global indexes are similar to those for the domestic indexes, but with modifications as appropriate for the issues and risks associated with non-U.S. stocks. In addition, the Commission has previously approved the listing and trading of ETFs based on international indexes—those based on non-U.S. component stocks—as well as global indexes—those based on non-U.S. and U.S. component stocks.[10]

In approving ETFs for equities exchange trading, the Commission thoroughly considered the structure of the ETFs, their usefulness to investors and to the markets, and SRO rules that govern their trading. The Exchange believes that allowing the listing of options overlying ETFs that are listed pursuant to the generic listing standards on equities exchanges for ETFs based on international and global indexes and applying Rule 19b–4(e) should fulfill the intended objective of that Rule by allowing options on those ETFs that have satisfied the generic listing standards to commence trading, without the need for the public comment period and Commission approval. The proposed rule has the potential to reduce the time frame for bringing options on ETFs to market, thereby reducing the burdens on issuers and other market participants. The failure of a particular ETF to comply with the generic listing standards under Rule 19b–4(e) would not, however, preclude the Exchange from submitting a separate filing pursuant to Section 19(b)(2),[11] requesting Commission approval to list and trade options on a particular ETF.

Options on ETFs listed pursuant to these generic standards for international and global indexes would be traded, in all other respects, under the Exchange's existing trading rules and procedures that apply to options on ETFs and would be covered under the Exchange's surveillance program for options on ETFs.

Pursuant to the proposed rule, the Exchange may list and trade options on an ETF without a CSSA provided that the ETF is listed pursuant to generic listing standards for series of ETFs based on international or global indexes under which a comprehensive surveillance agreement is not required. The Exchange believes that these generic listing standards are intended to ensure that stocks with substantial market capitalization and trading volume account for a substantial portion of the weight of an index or portfolio.

The Exchange believes that this proposed listing standard for options on ETFs is reasonable for international and global indexes, and, when applied in conjunction with the other listing requirements,[12] will result in options overlying ETFs that are sufficiently broad-based in scope and not readily susceptible to manipulation. The Exchange also believes that allowing the Exchange to list options overlying ETFs that are listed on equities exchanges pursuant to generic standards for series of portfolio depositary receipts or index fund shares[13] based on international or global indexes under which a CSSA is not required, will result in options overlying ETFs that are adequately diversified in weighting for any single security or small group of securities to significantly reduce concerns that trading in options overlying ETFs based on international or global indexes could

[5] *See, e.g.,* BATS Rule 14.11(b)(3)(A)(ii); NYSE MKT Rule 1000 Commentary .03(a)(B); NYSE Arca Equities Rule 5.2(j)(3) Commentary .01 (a)(B); and NASDAQ Rule 5705(a)(3)(A)(ii).

[6] 17 CFR 240.19b–4(e).

[7] When relying on Rule 19b–4(e), the SRO must submit Form 19b–4(e) to the Commission within five business days after the SRO begins trading the new derivative securities products. *See* Exchange Act Release No. 40761 (December 8, 1998), 63 FR 70952 (December 22, 1998).

[8] *See* BATS Rules 14.11(b)(3)(A)(ii); NYSE MKT Rule 1000 Commentary .03(a)(B); NYSE Arca Equities Rule 5.2(j)(3) Commentary .01 (a)(B); and NASDAQ Rule 5705(a)(3)(A)(ii). *See also* Securities Exchange Act Release Nos. 54739 (November 9, 2006), 71 FR 66993 (SR–Amex–2006–78); 55269 (February 9, 2007), 72 FR 7490 (February 15, 2007) (SR–NASDAQ–2006–050); 55621 (April 12, 2007), 72 FR 19571 (April 18, 2007) (SR–NYSEArca–2006–86)

[9] *See* Commentary .03 to Amex Rule 1000 and Commentary .02 to Amex Rule 1000A. See also Securities Exchange Act Release No. 42787 (May 15, 2000), 65 FR 33598 (May 24, 2000).

[10] *See, e.g.,* Securities Exchange Act Release Nos. 50189 (August 12, 2004), 69 FR 51723 (August 20, 2004) (approving the listing and trading of certain Vanguard International Equity Index Funds); 44700 (August 14, 2001), 66 FR 43927 (August 21, 2001) (approving the listing and trading of series of the iShares Trust based on certain S&P global indexes).

[11] 15 U.S.C. 78s(b)(2).

[12] All of the other listing criteria under the Exchange's rules will continue to apply to any options listed pursuant to the proposed rule change.

[13] The Exchange notes that the proposed rule text differs slightly from that of other exchanges in order to make clear that the rule applies to ETFs that have been listed on equities exchanges pursuant to generic listing standards for series of ''portfolio depositary receipts or index fund shares'' rather than ''portfolio depositary receipts and index fund shares.'' Such difference does not represent a substantive difference from the rules of other Exchanges. *See* infra note 16.

become a surrogate for trading in unregistered securities.

The Exchange believes that ETFs based on international and global indexes that have been listed pursuant to the generic standards are sufficiently broad-based enough as to make options overlying such ETFs not susceptible instruments for manipulation. The Exchange believes that the threat of manipulation is sufficiently mitigated for underlying ETFs that have been listed on equities exchanges pursuant to generic listing standards for series of portfolio depositary receipts or index fund shares based on international or global indexes under which a comprehensive surveillance agreement is not required and for the overlying options, that the Exchange does not see the need for CSSA to be in place before listing and trading options on such ETFs. The Exchange notes that its proposal does not replace the need for a CSSA as provided in the current rule. The provisions of the current rule, including the need for a CSSA, remain materially unchanged in the proposed rule and will continue to apply to options on ETFs that are not listed on an equities exchange pursuant to generic listing standards for series of portfolio depositary receipts or index fund shares based on international or global indexes under which a comprehensive surveillance agreement is not required. Instead, the proposed rule adds an additional listing mechanism for certain qualifying options on ETFs to be listed on the Exchange.

Finally, the Exchange is also proposing to make several non-substantive changes to the rule text in order to make it easier to read and understand. Specifically, the Exchange is proposing to move paragraph (4) to become paragraph (1), to renumber each of paragraphs (1), (2), (3), (5), and (6) to (B), (C), (D), (E), and (F), respectively, and to make clear that each of the proposed newly numbered paragraphs (B), (C), (D), (E), and (F) apply to the series of Fund Shares that do not meet the criteria proposed in proposed new paragraph (A).

2. Statutory Basis

The Exchange believes that its proposal is consistent with the requirements of the Act and the rules and regulations thereunder that are applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b) of the Act.[14] In particular, the proposal is consistent with Section 6(b)(5) of the Act[15] because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to, and perfect the mechanism of, a free and open market and a national market system and, in general, to protect investors and the public interest. In particular, the proposed rules have the potential to reduce the time frame for bringing options on ETFs to market, thereby reducing the burdens on issuers and other market participants. The Exchange also believes that enabling the listing and trading of options on ETFs pursuant to this new listing standard will benefit investors by providing them with valuable risk management tools. The Exchange notes that its proposal does not replace the need for a CSSA as provided in the current rule. The provisions of the current rule, including the need for a comprehensive surveillance sharing agreement, remain materially unchanged in the proposed rule and will continue to apply to options on ETFs that are not listed on an equities exchange pursuant to generic listing standards for series of portfolio depositary receipts or index fund shares based on international or global indexes under which a comprehensive surveillance agreement is not required. Instead, the proposed rule adds an additional listing mechanism for certain qualifying options on ETFs to be listed on the Exchange in a manner that is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest.

The Exchange also believes that the proposed non-substantive organizational changes are reasonable, fair, and equitable because they are designed to make the rule easier to comprehend. As noted above, the proposed non-substantive changes do not change the need for a CSSA as provided in the current rule. The provisions of the current rule, including the need for a CSSA, remain materially unchanged in the proposed rule and will continue to apply to options on ETFs that are not listed on an equities exchange pursuant to generic listing standards for series of portfolio depositary receipts or index fund shares based on international or global indexes under which a comprehensive surveillance agreement is not required. These non-substantive changes to the rules are intended to make the rules clearer and less confusing for participants and investors and to eliminate potential confusion, thereby removing impediments to and perfecting the mechanism of a free and open market and a national market system, and, in general, protecting investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. To the contrary, the proposed rule change is a competitive change that is substantially similar to recent rule changes filed by the MIAX Options Exchange (''MIAX''), NASDAQ OMX PHLX, LLC (''Phlx''), and International Stock Exchange LLC (''ISE'').[16] Furthermore, the Exchange believes this proposed rule change will benefit investors by providing additional methods to trade options on ETFs, and by providing them with valuable risk management tools. Specifically, the Exchange believes that market participants on the Exchange would benefit from the introduction and availability of options on ETFs in a manner that is similar to equities exchanges and will provide investors with a venue on which to trade options on these products. For all the reasons stated above, the Exchange does not believe that the proposed rule changes will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act, and believes the proposed change will enhance competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any written comments from members or other interested parties.

[14] 15 U.S.C. 78f(b).

[15] 15 U.S.C. 78f(b)(5).

[16] *See* Securities Exchange Act Release Nos. 74509 (March 13, 2015), 80 FR 14425 (March 19, 2015) (SR–MIAX–2015–04); 74553 (March 20, 2015), 80 FR 16072 (March 26, 2015) (SR–Phlx–2015–27); and 74832 (April 29, 2015), 80 FR 25738 (May 5, 2015) (SR–ISE–2015–16).

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the 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 Act [17] and Rule 19b–4(f)(6) thereunder.[18]

A proposed rule change filed pursuant to Rule 19b–4(f)(6) under the Act [19] normally does not become operative for 30 days after the date of its filing. However, Rule 19b–4(f)(6)(iii) [20] 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. The Exchange stated that waiver of the operative delay will permit the Exchange to list and trade certain ETF options on the same basis as other options markets.[21] The Commission believes the 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.[22]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[17] 15 U.S.C. 78s(b)(3)(A).

[18] 17 CFR 240.19b–4(f)(6). As required under Rule 19b–4(f)(6)(iii), the Exchange provided the Commission with 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.

[19] 17 CFR 240.19b–4(f)(6).

[20] 17 CFR 240.19b–4(f)(6)(iii).

[21] *See supra* note 16.

[22] 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).

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–BATS–2015–43 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–BATS–2015–43. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–BATS–2015–43, and should be submitted on or before July 9, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[23]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–14971 Filed 6–17–15; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–75167; File No. SR–NYSEMKT–2015–40]

Self-Regulatory Organizations; NYSE MKT LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Sections 401, 402 and 404 of the NYSEMKT Company Guide To (i) Provide That Companies Can Comply With the Exchange's Immediate Release Policy by Disseminating the Information Required To Be Disseminated Pursuant to This Policy by Any Regulation Fair Disclosure Compliant Method or Combination of Methods, (ii) Clarify the Procedures Taken by the Exchange in the Event of Unusual Market Activity and (iii) Update References to Exchange Departments and Personnel and Make Other Non-Substantive Conforming Updates

June 12, 2015.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (the ''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that on June 3, 2015, NYSE MKT LLC (the ''Exchange'' or ''NYSE MKT'') 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 self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Sections 401, 402 and 404 of the Company Guide to provide that companies can comply with the Exchange's immediate release policy by disseminating the information required to be disseminated pursuant to this policy by any Regulation Fair Disclosure (''Regulation FD'') compliant method or combination of methods, (ii) clarify the procedures taken by the Exchange in the

[23] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

event of unusual market activity and (iii) update references to Exchange departments and personnel and make other non-substantive conforming updates. The text of the proposed rule change is available on the Exchange's Web site at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Immediate Release Policy Changes

Section 401(a) of the Company Guide requires a listed company to make immediate public disclosure of all material information concerning its affairs (the ''immediate release policy''). Section 401(b) provides that companies should comply with the immediate release policy by releasing material information to the public in a manner designed to obtain the widest possible public dissemination. Section 402(b)(ii) specifies that any public disclosure of material information should be made by an announcement released to the national business and financial news-wire services. Section 404 specifies the Exchange's surveillances procedures when unusual market activity occurs.

The Exchange proposes to (i) amend Sections 401, 402 and 404 of the Company Guide to provide that companies can comply with the Exchange's immediate release policy by disseminating the material information by any Regulation FD compliant method or combination of methods, (ii) clarify the procedures taken by the Exchange in the event of unusual market activity and (iii) update references to Exchange departments and personnel and make other non-substantive conforming updates.

Regulation FD was adopted by the Commission in 2000 in order to curb the selective disclosure of material non-public information by issuers to analysts and institutional investors.[4] Generally, Regulation FD requires that when an issuer discloses material information, it do so publicly. Public disclosure under Regulation FD can be accomplished by filing a Form 8–K with the Commission or through another method of disclosure that is reasonably designed to provide broad, non-exclusionary distribution of the information to the public (*e.g.* press releases, conference calls, press conferences and webcasts, so long as the public is provided adequate notice and granted access).[5]

The Exchange now proposes to amend Sections 401 and 402 of the Company Guide to provide that companies may comply with the immediate release policy by disseminating the information using any method (or combination of methods) that constitutes compliance with Regulation FD, thus companies will no longer be required to announce material news via a simultaneous release to the national business and financial news-wire services. Foreign private issuers are subject to the immediate release policy but they are not required to comply with Regulation FD. Notwithstanding their exemption from Regulation FD, Section 402(b)(ii) will allow foreign private issuers to comply with the Exchange's immediate release policy by any method (or combination of methods) that would constitute compliance with Regulation FD for a domestic U.S. issuer. While the Exchange continues to believe that there are benefits to the market and investors generally if companies issue press releases when disclosing material information, the Exchange nonetheless believes that it is appropriate to harmonize its requirements in this regard with Regulation FD, as well as with Section 202.06 of the Listed Company Manual of New York Stock Exchange LLC (''NYSE'') and Nasdaq Stock Market LLC (''Nasdaq'') Rule 5250(b)(1), thereby eliminating the confusion inherent in having different regimes applied by different listing exchanges and the Commission. The Exchange believes that many companies will continue to issue press releases in relation to material news events, and Section 402(b)(ii) of the proposed amendment includes language that encourages companies to disclose material news via a press release. However, the Exchange also believes that it is appropriate to enable companies to utilize the flexibility and discretion with respect to the method of disclosure provided by Regulation FD.

Section 401(a) of the Company Guide currently provides that, when the announcement of news of a material event which calls for immediate release is made during trading hours it is essential that the company notify the Stock Watch Department prior to the announcement. This timely notification enables the Exchange to consider whether, in the opinion of the Exchange, trading in the security should be temporarily halted. The Exchange proposes to amend Section 401(a) to codify its long-standing interpretation of the rule that listed companies must notify the Exchange if they intend to release material information shortly before the opening as well as during trading hours which is consistent with the approach that the New York Stock Exchange takes as well. The Exchange also proposes to amend Section 401(a) to specify that notification to the Exchange must be made at least ten minutes prior to the announcement.

The Exchange also proposes to amend Section 401(b) to permit companies to comply with the Exchange's immediate release policy by any Regulation FD-compliant method. The Exchange proposes to make a corresponding change in Section 402(b) and to require the listed company when contacting the Exchange to (i) inform the Exchange of the substance of the announcement and (ii) identify to the Exchange the Regulation FD-compliant method it intends to use to disseminate the news and provide the Exchange with the information necessary to locate the information upon publication. Further, the Exchange proposes to amend Section 402(b) to state that, when the announcement is in written form, the company must provide the text of the announcement to the Exchange at least ten minutes prior to its release via email or web-based system as specified on the Exchange's Web site.[6] Because companies will be required to submit the text of their announcement to the Exchange via email or web-based system,[7] the Exchange proposes to

[4] *See* Securities Exchange Act Release No. 43154 (August 15, 2000), 65 FR 51716 (August 24, 2000) (''Regulation FD Adopting Release'').

[5] *See* Regulation FD Adopting Release at pages 51723–51724.

[6] The proposed amendment will specify that in emergency situations—for instance, lack of computer or internet access, technical problems at the Exchange or company or incompatibility between Exchange and company systems—Section 402(b) will specify that companies may provide required notifications by telephone and confirmed by facsimile, as specified by the Exchange on its Web site.

[7] The proposed amendment will specify that the Exchange will promptly update and prominently display that posting if the applicable web portal or email address changes at any time.

delete an obsolete reference in Section 402(b) requiring companies to send the Exchange three copies of their announcement.

Section 401(a) of the Company Guide states that a company must notify the Exchange's Stock Watch Department prior to the announcement of material information. It has been the Exchange's long-standing practice to require that companies call the Exchange when such situations occur. The Exchange, therefore, proposes to codify this practice in Section 402(b)(i), clarifying that a company must call, rather than simply notify, the Exchange prior to the announcement. If a listed company intends to comply with the immediate release policy by issuing a press release, the proposed amendment to Section 402(b)(ii) will specify that in order to ensure adequate coverage the press release should be given to Dow Jones & Company, Inc., Reuters Economic Services and Bloomberg Business News. The proposed amendment to Section 402(b)(ii) will also specify that foreign private issuers can comply with the Exchange's immediate release policy by any Regulation FD method (or combination of methods). The Exchange also proposes to amend Section 402(b)(ii) to specify that listed companies may disseminate information via their Web site, as opposed to the Internet generally, and social media as permitted by Regulation FD. However, the proposed amendment will state that if a company utilizes its Web site or social media to disseminate information it must comply with the Commission's guidelines applicable thereto.[8] Because listed companies will be required to comply with the Commission's guidelines in this regard, the Exchange proposes to delete a sentence requiring companies to transmit information to traditional news vendor services prior [sic] making it available on the Internet as this requirement is no longer necessary. The Exchange proposes to amend Section 402(b)(ii) to delete references to private networks such as PR Newswire as they are obsolete and to change a reference from ''newspapers'' to ''media'' to encompass the multiple forms of media in which material news can be disseminated.

The Exchange will continue to evaluate the materiality of these disclosures and implement temporary trading halts, where appropriate, to facilitate the orderly dissemination of certain issuer announcements having a potentially material impact on the price of securities or trading activity to ensure fair and orderly markets.

Clarification of Procedures Taken by the Exchange in the Event of Unusual Market Activity

Consistent with Section 202.06 of the NYSE Listed Company Manual and Rule 5250(b)(1) of the Nasdaq Stock Market Rules, the Exchange proposes to include a statement in Section 402(d) of the Company Guide to indicate that, in the event of unusual market activity or rumors, the Exchange may contact the listed company to inquire about any company developments that have not been publicly announced but that could be responsible for the activity. If it is determined that the market appears to reflect undisclosed information, the Exchange will normally request that such information be publicly disclosed immediately.

Because the procedures for contacting the Exchange will be set forth on the Exchange's Web site, the Exchange proposes to delete a paragraph in Section 402(g) that now includes outdated contact information.

Lastly, the Exchange proposes to delete a reference to its Market Surveillance Department in Section 404 of the Company Guide. The Exchange notes that certain of its market oversight responsibilities are currently performed by the Financial Industry Regulatory Authority (''FINRA'') pursuant to a regulatory services agreement, including responsibility relating to the surveillance, investigation and enforcement of insider trading rules.[9] Accordingly, the Exchange does not currently maintain a Market Surveillance Department that checks with brokerage firms as to the reasons behind unusual trading activity, as this function is performed by FINRA. The Exchange remains responsible for FINRA's performance under the regulatory services agreement.

Changes in References to Exchange Departments and Personnel and Other Conforming Updates

Since the acquisition of the American Stock Exchange (the ''Amex'') by NYSE Euronext and its renaming as NYSE MKT, the references to the Listing Qualifications Department, Listing Qualifications Analysts and the Exchange's Stock Watch Department are no longer accurate. It is proposed that these legacy Amex-related references in Sections 401 and 402, including phone numbers, should be replaced. Companies will be directed to contact the Exchange and a statement that will include the relevant contact information to be used when contacting Exchange staff can be found on the Exchange's Web site at nyse.com. References to ''specialists'' are changed throughout Section 402 to refer to Designated Market Makers (''DMMs''). Lastly, Sections 402 and 404 of the Company Guide previously referred to market action and market activity inconsistently. The Exchange proposes to change all references to ''market action'' to ''market activity.''

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Exchange Act,[10] in general, and furthers the objectives of Section 6(b)(5) of the Act,[11] in particular, in that it is 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. The Exchange believes the proposed amendment is consistent with the investor protection objectives of the Exchange Act in that it harmonizes the Exchange's immediate release policy with the Commission's requirements in Regulation FD. The Exchange further believes that specifying that public disclosures which may significantly affect trading should be submitted to the Exchange via email or web-based system enables the Exchange to promptly determine whether a trading halt is appropriate to allow for dissemination of such material news to the marketplace thereby protecting investors and the public interest. Lastly, the Exchange believes that the remaining proposed amendments are consistent with Section 6(b)(5) of the Act, as none of them make substantive changes to the Exchange's listing requirements.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not

[8] *See* Securities Exchange Act Release No. 58288 (August 7, 2008) and Securities Exchange Act Release No. 69279 (April 2, 2013). The Exchange will remind listed companies of the Commission's guidelines with respect to the use of Web sites and social media to disseminate material information.

[9] *See* Securities Exchange Act Release No. 58536 (September 12, 2008), 73 FR 54646 (September 22, 2008). *See also* Securities Exchange Act Release Nos. 58806 (October 17, 2008), 73 FR 63216 (October 23, 2008); 61919 (April 15, 2010), 75 FR 21051 (April 22, 2010); 63103 (October 14, 2010), 75 FR 64755 (October 20, 2010); 63750 (January 21, 2011), 76 FR 4948 (January 27, 2011); and 65991 (December 16, 2011), 76 FR 79714 (December 22, 2011).

[10] 15 U.S.C. 78f(b).

[11] 15 U.S.C. 78f(b)(5).

necessary or appropriate in furtherance of the purposes of the Act. The proposed amendment simply harmonizes the Exchange's immediate release policy with the Commission's requirements in Regulation FD and the immediate release policies of the NYSE and Nasdaq, harmonizes the method of compliance with the Exchange's immediate release policy with the methods of compliance for the NYSE and Nasdaq immediate release policies and makes other non-substantive changes to the Company Guide. Accordingly, there will be no burden on competition as a result of the amendment.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the 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 Act and Rule 19b–4(f)(6) thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

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–NYSEMKT–2015–40 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEMKT–2015–40.This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSEMKT–2015–40 and should be submitted on or before July 9, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Robert W. Errett,

Deputy Secretary.

[FR Doc. 2015–14970 Filed 6–17–15; 8:45 am]

BILLING CODE 8011–01–P

[12] 17 CFR 200.30–3(a)(12).

DEPARTMENT OF STATE

[Public Notice: 9171]

Notification of the Next CAFTA–DR Environmental Affairs Council Meeting

AGENCY: Department of State.

ACTION: Notice of the CAFTA–DR Environmental Affairs Council Meeting and request for comments.

SUMMARY: The Department of State and the Office of the United States Trade Representative are providing notice that the parties to the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA–DR) intend to hold the ninth meeting of the Environmental Affairs Council (Council) established under Chapter 17 (Environment) of that agreement in Guatemala City, Guatemala on July 9–10. The Council will meet on July 9 to review implementation of Chapter 17 of CAFTA–DR and the CAFTA–DR Environmental Cooperation Agreement (ECA). All interested persons are invited to attend the Council's public session beginning at 9:30 a.m. on July 10 at Universidad del Valle de Guatemala. During the Council meeting, Council Members will present the progress made and challenges in implementing Chapter 17 obligations and the impacts of environmental cooperation in their respective countries. The Council will also receive a presentation from the CAFTA–DR Secretariat for Environmental Matters (SEM). More information on the Council is included below under **SUPPLEMENTARY INFORMATION**. All interested persons are invited to attend a public session where they will have an opportunity to ask questions and discuss implementation of Chapter 17 and the Environmental Cooperation Agreement with Council Members. At the public session, the Council hopes to receive input from the public on current environmental challenges and ideas for future cooperation. The Department of State and Office of the United States Trade Representative also invite written comments or suggestions regarding topics to be discussed at the meeting. In preparing comments, we encourage submitters to refer to Chapter 17 of the CAFTA–DR, the Final Environmental Review of the CAFTA–DR, and the Agreement among the CAFTA–DR countries on Environmental Cooperation (ECA) *(all documents available at http://www.state.gov/e/oes/eqt/trade/caftadr/index.htm).*

DATES: The public session of the Council will be held on July 10, 2015, from 9:30 a.m.–12:15 p.m. at Universidad del Valle de Guatemala. We request comments and suggestions in writing no later than June 26, 2015.

ADDRESSES: Written comments or suggestions should be submitted to both:

(1) Eloise Canfield, U.S. Department of State, Bureau of Oceans and International Environmental and Scientific Affairs, Office of Environmental Quality and Transboundary Issues by email to *CanfieldM2@state.gov* with the subject

line ''CAFTA–DR EAC Meeting'' or by fax to (202) 647–5947; and

(2) Laura Buffo, Director for Environment and Natural Resources, Office of the United States Trade Representative by email to *Laura_Buffo@ustr.eop.gov* with the subject line ''CAFTA–DR EAC Meeting'' or by fax to (202) 395–9517. If you have access to the Internet you can view and comment on this notice by going to: *http://www.regulations.gov/#!home* and searching on docket number DOS–XXXX–XXXX.

FOR FURTHER INFORMATION CONTACT: Eloise Canfield, (202) 647–4750 or Laura Buffo, 202–395–9424

SUPPLEMENTARY INFORMATION: Article 17.5 of the CAFTA–DR establishes an Environmental Affairs Council (the Council) and requires it to meet annually unless the CAFTA–DR parties otherwise agree to oversee the implementation of, and review progress under, Chapter 17. Article 17.5 further requires, unless the parties otherwise agree, that each meeting of the Council include a session in which members of the Council have an opportunity to meet with the public to discuss matters relating to the implementation of Chapter 17. In Article 17.9, the parties recognize the importance of strengthening capacity to protect the environment and to promote sustainable development in concert with strengthening trade and investment relations and state their commitment to expanding their cooperative relationship on environmental matters. Article 17.9 also references the ECA, which sets out certain priority areas of cooperation on environmental activities that are also reflected in Annex 17.9 of the CAFTA–DR. These priority areas include, among other things: Reinforcing institutional and legal frameworks and the capacity to develop, implement, administer, and enforce environmental laws, regulations, standards and policies; conserving and managing shared, migratory and endangered species in international trade and management of protected areas; promoting best practices leading to sustainable management of the environment; and facilitating technology development and transfer and training to promote clean production technologies.

If you would like to attend the public session, please notify Eloise Canfield at the email addresses listed above under the heading **ADDRESSES**. Please include your full name and identify any organization or group you represent. In preparing comments, we encourage submitters to refer to:

- Chapter 17 of the CAFTA–DR,
- The Final Environmental Review of CAFTA–DR, and
- The ECA.

These documents are available at: *http://www.state.gov/e/oes/eqt/trade/caftadr/index.htm*. Visit *http://www.state.gov* and the USTR Web site at *www.ustr.gov* for more information.

Dated: June 15, 2015.

Deborah Klepp,

Director, Office of Environmental Quality and Transboundary Issues, U.S. Department of State.

[FR Doc. 2015–15003 Filed 6–17–15; 8:45 am]

BILLING CODE 4710–09–P

TENNESSEE VALLEY AUTHORITY

Muscle Shoals Reservation Redevelopment, Colbert County, Alabama

AGENCY: Tennessee Valley Authority (TVA).

ACTION: Issuance of Record of Decision (ROD).

SUMMARY: This notice is provided in accordance with the Council on Environmental Quality's regulations (40 CFR 1500 to 1508) and TVA's procedures for implementing the National Environmental Policy Act (NEPA). On November 15, 2012, the TVA Board of Directors declared 1,000 acres of the Muscle Shoals Reservation (MSR) in Colbert County, Alabama, to be surplus to TVA's needs and authorized the sale of such acreage at public auction, thereby adopting the preferred alternative in TVA's final environmental impact statement (EIS) for the redevelopment of a portion of the MSR. The ROD documenting this decision was published on September 16, 2013 (78 FR 56980). The notice of availability (NOA) of the *Final Environmental Impact Statement for the Muscle Shoals Reservation Redevelopment* was published in the **Federal Register** on November 18, 2011. A component of the preferred alternative was the publication of a Comprehensive Master Plan (CMP) to guide development of the surplus MSR property. On March 26, 2015, TVA's Senior Vice President of Economic Development approved the CMP contemplated in TVA's final EIS.

FOR FURTHER INFORMATION CONTACT:

Amy B. Henry, NEPA Program and Valley Projects Manager, Tennessee Valley Authority, 400 West Summit Hill Drive, WT 11D, Knoxville, Tennessee 37902–1499; telephone (865) 632–4045 or email *abhenry@tva.gov*.

Heather L. Montgomery, Program Manager, Tennessee Valley Authority, Post Office Box 1010, MPB 1C–M, Muscle Shoals, Alabama 35662–1010; telephone (256) 386–3803 or email *hlmcgee@tva.gov*.

SUPPLEMENTARY INFORMATION: TVA manages public lands to protect the integrated operation of TVA reservoir and power systems, to provide for appropriate public use and enjoyment of the reservoir system, and to provide for continuing economic growth in the Tennessee Valley. TVA assumed custody and control of the 3,036-acre Muscle Shoals/Wilson Dam Reservation in Colbert County, Alabama in 1933 when Congress directed its transfer to TVA from the U.S. War Department. TVA has since managed 2,600 acres of this nonreservoir property as the MSR.

Since acquisition of the land, TVA's need for this amount of MSR property has changed. TVA's programs have changed over time and TVA has greatly reduced its operations and employment at Muscle Shoals. Therefore, TVA has determined that a portion of its MSR is no longer essential to its needs. Local public and private sector developers have been requesting use of this land for many years. In accordance with its economic development mission, TVA concluded that sale and redevelopment of approximately 1,000 acres of the MSR (surplus property) would help stimulate the local and regional economy. The sale of this land would also help TVA reduce its operations and maintenance costs and help TVA reduce its environmental footprint.

The September 2013 MSR ROD provides information about the decision to sell this 1,000-acre portion of the MSR and should be referenced for more details, including information about need for property disposal, alternatives considered by TVA, environmentally preferred alternative, environmental consequences, and other background information.

Comprehensive Master Plan

All of the Action Alternatives in the MSR EIS, including the preferred alternative selected for implementation by the TVA Board, included the publication of a CMP to encourage proper and responsible development of the approximate 1,000 acres of the MSR authorized for sale. To support this effort, TVA and the Northwest Alabama Cooperative District (NACD) conducted studies; evaluated environmental, historical, and architectural impacts and alternatives; participated in public forums; collected public input; and evaluated the market potential for the MSR site. Using the results of these

activities, TVA and the NACD developed a CMP to serve as an overarching guiding principles tool to encourage well-managed development of the surplus property.

The CMP, which can be found at *www.tva.gov/environment/reports,* identified nine distinct areas and subareas, eight of which comprise the 1,000-acre surplus property, as well as the preferred uses of these areas. Preferred uses include retail, commercial, office, institutional, light industrial, heavy industrial, and preservation. In accordance with the Board's previous decision, seven of the MSR areas would be sold at public auction under Section 31 of the TVA Act and one area (Area 9—Phosphate Slag Area) would be retained by TVA, but would be made available as easement property for a utility corridor as described in the final MSR EIS.

The CMP provides a description for each area, which includes the recommended design guidelines, preferred use options, and development restrictions for each area. The CMP envisions that all areas where development could occur would have design and aesthetics controlled by zoning, that favor a common thread architectural style and material elements consistent with other MSR redevelopment and which complement the historical context. Building, signage, and landscape designs would be pre-approved per local zoning requirements. Development restrictions vary by area, but most areas include restrictions such as: No residential dwellings of any form, no groundwater withdrawal, at least 100-foot setback from existing roadway boundaries that allows for centralized utilities and future pedestrian trails, signage restricted to that which promotes businesses within the development, restriction on operation emissions, etc. TVA and local units of governments would share the responsibility of enforcing these guiding principles, as further specified in the CMP.

The nine areas identified in the CMP are briefly described below. Please refer to the CMP for more area details, guideline documents and location maps.

- Area 1—Retail/Commercial. Area 1 is subdivided into 2 areas (1A and 1B) to accommodate differing scale land uses. The area is located on the western boundary border of the property and is comprised of 95 acres. Market focus would be on the attraction of unique and differentiated businesses and discouragement of redundant retail/commercial uses. Area 1B contains two building complexes, the Greenhouse complex and TVA's Customer Service Center, which would both be promoted for reuse.
- Area 2A—Mixed-use Commercial/Office and Light Industrial. Area 2A is located near the southwest corner of the MSR and is comprised of 61 acres. No buildings are located within the tract, but transmission lines traverse the extreme northwestern portion. Market focus would be on attracting businesses (tourism, government, financial, data management, etc.) that provide a balance of job creation with land-use conservation, with a preference for green-friendly operations.
- Area 2B—Light Industrial. Area 2B is located near the southwest corner of the property and is approximately 66 acres. Market focus is to attract small-scale, clean light industries that provide a balance of job creation and land-use conservation, with a preference for green-friendly operations. Minimization of environmental impacts would be integrated into facility design, and public access would be retained and/or promoted in select areas for bird-watching and future walking trails.
- Area 3—Woodlands Preservation Area. Area 3 is divided into 3A and 3B to accommodate access to Second Street for the Area 7 purchaser and comprises 203 acres. Both areas have similar design guidelines and development restrictions. Significant wetlands and a portion of the existing floodplains are found in these areas, which makes them ideal for preservation. Market focus would be to retain the woodlands and natural habitat and minimize man-made impacts. Value-added opportunities (bird watching, environmental education, wetlands mitigation, recreation, etc.) would be promoted within these areas. The proposed wildlife corridor runs through these areas and fencing, which impedes wildlife, would not be allowed in this area.
- Area 4—Retail/Commercial. Area 4 is located in the southwestern corner of the property and comprises 98 acres. Wetlands and portions of the floodplain are currently located in Area 4; however, TVA is constructing an elevated embankment that would reduce the total number of acres threatened by potential flooding. Market focus would be on the attraction of unique and differentiated businesses and discouragement of redundant retail/commercial uses.
- Area 5A—Mixed Use Large-Scale Campus/Venue. Area 5A is located along the northern boundary of the surplus property along Reservation Road and comprises approximately 85 acres. Market focus is campus environment and attraction of single entity or mixed-use development utilizing a campus-style setting. A small portion of the MSR Historic District is located within area 5A, and future owners would be required to abide by specified design guidelines approved for the Historic District within that portion.
- Area 5B—Mixed Use Medium-Scale Campus/Venue. Area 5B is located along the western boundary of the surplus property along Reservation Road and comprises approximately 50 acres. Eight buildings previously utilized by TVA for research and development are located on this property, all of which would be promoted for reuse. Market focus is campus environment and attraction of single entity or mixed-use development utilizing a campus-style setting. A portion of the MSR Historic District is located within area 5B, and future owners would be required to abide by specified design guidelines for the Historic District within that portion.
- Area 5C—Mixed Use Small-Scale Campus. Area 5C is located on the north side of Reservation Road and comprises approximately 35 acres. Area 5C is an existing multi-use facility campus and all buildings would be promoted for reuse. A portion of the Reservation Road trail is located within this area. Market focus is campus environment and attraction of single entity or mixed-use development utilizing a campus-style setting.
- Area 6—Business Village/Mixed Use Commercial. Area 6 is 74 acres and is located in the center of the surplus property. Sixteen buildings are located in this area. A select number of these buildings have been identified as historically significant and are targeted for adaptive reuse. Other buildings may be promoted or demolished by TVA or future owners depending upon their condition. Preferred use is office, commercial, service, retail, light-to-medium industrial, civic, or government. This area is located within the MSR Historic District, and future owners would be required to abide by specified design guidelines for the Historic District.
- Area 7—Differentiated Industrial Development. Area 7 is a 163-acre area located in the center of the MSR. Three TVA buildings remain in this area and would be promoted for reuse. Area 7 extends to Second Street to accommodate potential employee and shipping traffic or necessary utilities. Preferred use is mid-to-heavy industrial facilities such as manufacturing (or similar) operations with the potential for significant job creation and capital investment. Area of concern (AOC) 998 is located within Area 7. Area 7

contains a portion of the MSR Historic District, and future owners would be required to abide by specified design guidelines for the Historic District within that portion.

• Area 8—TVA property. Areas 8A and 8B (low-level radioactive waste burial site) comprise approximately 400 acres of the MSR. These areas do not contain enough developable land for meaningful non-TVA development and are therefore not part of the 1,000-acre MSR surplus footprint.

• Area 9—Easement Area. Area 9 is approximately 66 acres and located south of the Tennessee River and north of Reservation Road. Area 9 contains the phosphate slag storage area and is therefore not suitable for new construction or permanent public occupancy. TVA will retain ownership of this area, but would make the area available as a utility access corridor under specific use agreements (easements or licenses) in order to complement the overall success of the MSR redevelopment.

The CMP identifies the suggested and preferred areas, but recognizes that TVA could reconsider the area boundaries, preferred uses, market focus, design guidelines, and development restrictions in the event a single buyer expresses an interest in purchasing more than one area, in part or in whole. The cities of Muscle Shoals and Sheffield are expected to annex portions of the surplus property and may also impose additional measures for each area as each city deems appropriate.

Public Involvement

Please reference the September 2013 ROD for information about the public involvement in the MSR EIS process. In response to comments from U.S. Environmental Protection Agency on the final EIS, TVA noted that it planned to release a draft of the CMP and hold a public meeting to obtain stakeholder comments.

In 2011, TVA and NACD jointly sought input from stakeholders and the general public to discuss the potential economic opportunities in redeveloping the MSR property in preparation of the CMP. Two public meetings were held in November 2011 in Lauderdale and Colbert Counties to obtain public comments on the future use of the MSR property. TVA distributed the draft CMP to interested individuals, groups, and federal, state, and local agencies in September 2014 for a 30-day public comment period. A public meeting was held on September 30, 2014, in Florence, Alabama. TVA received 7 public comments and addressed the comments in the final CMP.

Updated Information

Since the publication of the 2013 MSR ROD, TVA has been taking steps to make portions of the MSR property more useful for future development. TVA developed a strategy that allows for the demolition of and/or enhancements to targeted buildings, structures, and land while abiding by TVA's Memorandum of Agreement (MOA) with the Alabama State Historic Preservation Officer and the 2011 EIS. The improvements began in 2013 with the removal of unwanted legacy buildings and structures and non-native species plants (*i.e.,* privet, kudzu, etc.). The potential impacts of the building demolitions were addressed in a 2013 environmental assessment and potential impacts of the plant removal was addressed in a 2013 categorical exclusion checklist. TVA has also been granting easements to local utility companies for placement of fiber optic cables, power lines, and similar installations to improve the marketability of the MSR surplus property.

TVA is currently constructing a new levee associated with Pond Creek in the southwest corner (Area 4) of the MSR property. The proposed levee is necessary to fulfill TVA's commitments in the 1973 agreement with the City of Muscle Shoals. Potential environmental impacts were addressed in a July 2014 environmental assessment. The proposed levee would result in an overall reduction in inundation levels within Area 4.

Decision

On November 15, 2012, the TVA Board declared 1,000 acres of the MSR surplus to TVA's needs and authorized the sale of such acreage at public auction upon a determination by the Senior Vice President, Economic Development, following consultation with the Vice President, Natural Resources and Real Property Services, that market conditions warrant selling the fee simple interest of the 1,000 acres or a portion thereof. The sale of the property would be in accordance with TVA's preferred alternative, Alternative F—Unrestricted Land Use in the final EIS. This decision incorporates mitigation measures that would reduce the potential for adverse impacts to the environment. These measures are listed in the 2013 MSR ROD. The preferred alternative also requires the publication of a CMP. TVA developed the MSR CMP with the NACD and other appropriate local, state, and federal authorities for the holistic redevelopment of the MSR property. On March 26, 2015, TVA's Senior Vice President of Economic Development approved the final CMP.

Mitigation Measures

A full list of the measures associated with the sale of the surplus property is identified in the September 2013 MSR ROD. The sale deeds and associated transfer documentation would include restrictions and limitations specific to some or all of the surplus property per the mitigation measures outlined in the final MSR EIS. The CMP specifically identified the restrictions and limitations listed below:

• The sale deeds for every area would contain a covenant that the Grantee shall not remove groundwater from the property or inject groundwater into the property for any purpose except as mandated by applicable regulatory agencies or for environmental sampling or remediation purposes. The deeds would also contain a covenant that the Grantee shall not construct any unlined retention/detention basins or surface water features on the property.

• In order to assure compliance with Executive Order 11988 (Floodplain Management) and Executive Order 11990 (Protection of Wetlands), TVA would include specific language in any conveyance documents for the property and require that any proposal for future improvements in a floodplain or wetland area would be subject to TVA review and approval prior to construction (in addition to any other regulatory approval).

• TVA would place an Environmental Covenant on the portion of the property within AOC 998 (Area 7) in order to limit its future uses. This Environmental Covenant is required by the Alabama Department of Environmental Management (ADEM) and must be recorded prior to sale. Within the portions of the property subject to Environmental Covenants, use of the property has been approved for industrial and commercial activities in accordance with the Alabama Risk-Based Corrective Action Guidance Manual, which allows traditional industrial uses and operations, commercial uses such as stores and businesses, and community college use such as offices, classrooms, parking areas, etc. The following shall not take place in areas covered by covenant use restrictions without obtaining prior written approval from ADEM: Use of the property for any residential or unrestricted use, which includes but is not limited to primary and secondary schools, dwellings, homes, hospitals, childcare centers, nursing homes, playgrounds, recreation centers, and any other areas or structures with sensitive

human activity. Additionally, digging or excavation would be prohibited within the portion of the property identified as Solid Waste Management Unit 141. This environmental covenant was recorded by TVA on August 29, 2014.

• All future sales of areas that are wholly or partially within the MSR Historic District would contain deed restrictions requiring the buyer to adhere to the ''Muscle Shoals Reservation Historic Design Guideline and Architectural Controls'' pertaining to redevelopment and new development within the historic district boundaries. Design review and enforcement would be addressed by the cities of Muscle Shoals and Sheffield.

• Prior to and in conjunction with the sale of any portion of the property, TVA would be required to coordinate with ADEM with respect to necessary modifications to the existing TVA Resource Conservation and Recovery Act (RCRA) Permit. TVA would inform ADEM of its intentions to sell property prior to auction in order to solicit feedback and assure alignment with necessary procedures. After parcels are sold, TVA must formally request the property be removed from the existing RCRA permit. A public notice (typically 45 days) is required. Upon approval, ADEM would remove the land from the RCRA permit, and the requirements of the permit would no longer apply to the land under new ownership.

Dated: June 8, 2015.

John J. Bradley,

Senior Vice President, Economic Development.

Rebecca C. Tolene,

Vice President, Natural Resources and Realty Property Services.

[FR Doc. 2015–14943 Filed 6–17–15; 8:45 am]

BILLING CODE 8120–08–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA–2015–0012]

Agency Information Collection Activities: Request for Comments for New Information Collection

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice and request for comments.

SUMMARY: The FHWA has forwarded the information collection request described in this notice to the Office of Management and Budget (OMB) for approval of a new information collection. We published a **Federal Register** Notice with a 60-day public comment period on this information collection on August 1, 2014. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

DATES: Please submit comments by July 20, 2015.

ADDRESSES: You may send comments within 30 days to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, Attention DOT Desk Officer. You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA's performance; (2) the accuracy of the estimated burden; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. All comments should include the Docket number FHWA–2015–0012.

FOR FURTHER INFORMATION CONTACT: Paul Jodoin, (202) 366–5465, or James Austrich, 202–366–0731, Office of Operations, Federal Highway Administration, Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: National Traffic Incident Management Responder Training Assessment

Background: Three highway injury crashes occur every minute in the United States, putting nearly 39,000 incident responders potentially in harm's way every day. Congestion from these incidents often generates secondary crashes, further increasing traveler delay and frustration, and is the source of up to 25 percent of all traffic delays. The longer incident responders remain at the scene, the greater the risk they, and the traveling public, face. Minimizing the time and resources required for incident clearance is essential to meeting Federal Highway Administration (FHWA) goals for improved safety and reliability.

The second Strategic Highway Research Program (SHRP2) an applied research program authorized by Congress in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU), Section 5210 (Public Law 109–59), and reauthorized in Moving Ahead for Progress in the 21st Century (MAP–21), Sections 52003 and 52005 (Pub. L. 112–141) address some of the most pressing needs related to the nation's highway system. Recognizing the critical safety and operations implications of incident management, SHRP2 developed the National Traffic Incident Management (TIM) Responder Training curriculum. The training curriculum, developed through SHRP2 project numbers L12 and L32A, is designed to reach as many responders as possible through in-person training. In the summer of 2012, the FHWA Office of Operations assumed lead implementation responsibility for the in-person training program, and is currently conducting ''train the trainer'' sessions throughout the U.S. The Office of Operations also plans to launch an E-Learning Tool (SHRP2 project L32B) that will significantly expand the reach of the program, reaching thousands of additional responders. When fully-deployed, the training will produce a cadre of well-trained responders in each State, able to more quickly reduce the time it takes to clear accidents, offering the benefits of reduced congestion and lost travel time for travelers, as well as improved safety conditions for incident responders and motorists.

The SHRP2 program also identified the need for comprehensive evaluation of the benefits of TIM responder training, and developed an electronic post-course assessment tool (Assessment Tool) through project L32C, to be used to gather and analyze survey information related to TIM responder training. The Assessment Tool and collected survey information will enable participating agencies to assess student learning, to identify actions that can be taken to meet agency emergency response goals, and to evaluate the sufficiency of current agency resources and equipment to meet the goals of successful TIM response. The Assessment Tool will also support the Office of Operations' management of the TIM Responder Training Program by tracking and reporting the number of trainers and trainees reached by the classroom and e-Learning activities. The tool will use a four-level ''Kirkpatrick Model'' evaluation methodology with survey data collection following both in-person and e-Learning events. Consistent with the Kirkpatrick Model, the Office of Operations intends to survey training participants, their peers, and their supervisors in four phases.

Phase 1 is a reaction survey, sent to the participants immediately after the training session is completed, either in hardcopy or electronic form.

Phase 2 is concurrent with Phase 1 but focused on student learning. The

Phase 2 assessment will include survey questions and short quizzes to be answered by the participants before and shortly after the training sessions, in order to gauge student absorption and retention of the course materials. Information will be collected in hardcopy or electronic form.

Phase 3 is a behavior assessment, conducted at least two months following the completion of the training sessions. This phase is designed to assess changes in responder behavior, the relevance of those changes to improved incident response, and their sustainability over time. Information will be collected via survey of training participants, their peers, and their supervisors. Peer and supervisor feedback is essential to obtaining objective, reliable assessments of trainee behavior change. Information will be collected via electronic survey.

Phase 4 assesses organizational change resulting from the training program in the medium and long-terms. Surveys will be distributed electronically to senior management officials of trainee organizations. Initial surveys will be conducted at least three months after training sessions, with annual follow-up surveys for up to three years to gauge long-term effects of the training program.

Respondents: For *training participants:* Approximately 33,905 training participants in the first year, 36,905 in the second year, 53,905 in the third year—total of approximately 124,715 participants over a three year period. For *supervisors:* Approximately 3,390 in the first year, 3,690 in the second year, and 5,390 in the third year—total of 12,470 over three years. For *senior management:* Approximately 1,130 in the first year, 1,230 in the second year, and 1,800 in the third year—4,160 total over three years, including annual follow-up surveys of first and second year organizations. Total estimated respondents per year: Approximately 38,425 in year one, 41,925 in year two, 61,095 in year three—grand total of 141,445 over three years.

Frequency: Annually.

Estimated Average Burden per Response: For training participants: Approximately 45 minutes per participant. For supervisors: Approximately 30 minutes per participant. For senior managers: Approximately 30 minutes per participant.

Estimated Total Annual Burden Hours: For training participants: Approximately 31,179 hours annually. For supervisors: Approximately 2,078 hours annually. For senior managers: Approximately 693 hours annually. Total hours annually: 33,950.

Electronic Access: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov*. Follow the online instructions for accessing the dockets.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection of information is necessary for the U.S. DOT's performance, including whether the information will have practical utility; (2) the accuracy of the U.S. DOT's estimate of the burden of the proposed information collection; (3) ways to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, 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.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued on: June 11, 2015.

Michael Howell,

Information Collections Officer.

[FR Doc. 2015–14933 Filed 6–17–15; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2014–0420]

Hours of Service of Drivers: Specialized Carriers & Rigging Association (SC&RA); Application for Exemption

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of final disposition; grant of application for exemption.

SUMMARY: FMCSA announces its decision to grant the Specialized Carriers & Rigging Association (SC&RA) an exemption from the minimum 30-minute rest break provision of the Agency's hours-of-service (HOS) regulations for commercial motor vehicle (CMV) drivers. The exemption enables all specialized carriers and drivers responsible for the transportation of loads that exceed normal weight and dimensional limits—oversize/overweight (OS/OW) loads—and require a permit issued by a government authority, to be exempt from the 30-minute rest break provision in 49 CFR 395.3(a)(3)(ii). FMCSA has analyzed the exemption application and the public comments and has determined that the exemption, subject to the terms and conditions imposed, will achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption.

DATES: The exemption is effective June 18, 2015 and expires on June 18, 2017.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Clemente, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver, and Vehicle Safety Standards; Telephone: 202–366–4325. Email: *MCPSD@dot.gov.*

SUPPLEMENTARY INFORMATION:

Background

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain parts of the Federal Motor Carrier Safety 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 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 safety analyses and public comments submitted, 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)) with the reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption, and the regulatory provision from which the exemption is granted. The notice must also specify the effective period of the exemption (up to 2 years) and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

Request for Exemption

The SC&RA is an international trade association of nearly 1,300 member companies from 43 nations. SC&RA members are involved in specialized transportation, machinery moving and erecting, industrial maintenance, millwrighting, and crane rigging, operation, manufacturing, and rental.

SC&RA requests an exemption from the 30-minute rest break provision in 49 CFR 395.3(a)(3)(ii). The exemption

would apply industry-wide to all specialized carriers and drivers responsible for the transportation of loads exceeding standard legal weight and dimensional limits—oversize/overweight (OS/OW) loads—that require a permit issued by a government authority. According to SC&RA, the 30-minute break uniquely affects OS/OW loads and has exacerbated the number of instances in which drivers have had to park these loads at roadside, impacting the safety of both the general public and the driver. The hours of operation in which a driver may move an OS/OW load on a valid permit vary from State to State, and among local jurisdictions within a State. Because hours in which an OS/OW load can travel are restricted by permit requirements, often those hours are in conflict with the timing of the required 30-minute rest break.

According to SC&RA, as less space is available for parking OS/OW vehicles, specialized tractor/trailer combinations transporting OS/OW loads will increasingly be parked alongside interstate or other highways and ramp shoulders, further compromising safety. An average OS/OW load may measure approximately 15–16 feet wide and high and in excess of 100 feet in length. Occasionally, the safest option for drivers is to park such loads on the shoulders of interstate routes and other highways, and on ramps leading to and from those highways. This decision requires the driver to protect and alert the motoring public by employing traffic control measures such as setting up safety cones. In some instances, the OS/OW load is so large and/or the shoulder width is so limited, that the tractor-trailer combination cannot be properly parked off the roadway and therefore occupies an entire lane of the road.

SC&RA states that the industry has been diligent in ensuring that its drivers are safety-compliant by identifying, deploying, analyzing and monitoring best practices. The effectiveness of the industry's efforts is substantiated through its safety record. By demand and due to the type and nature of the size and weight involved, these drivers tend to be more experienced and skilled than many drivers in the industry. Safety is achieved through rigorous, mandated training for all drivers on a daily, weekly, monthly and quarterly basis in conjunction with annual safety checks, and self-imposed random safety audits. Furthermore, most specialized transportation carriers conduct weekly—or sometimes more frequent—meetings with drivers to ensure that they are current on information with regard to operating OS/OW loads in their industry.

Further details regarding SC&RA's safety controls can be found in its application for exemption. The application can be accessed in the docket identified at the beginning of this notice. SC&RA does not foresee any negative impact to safety from the requested exemption. It believes that granting the exemption would have a favorable impact on overall safety by reducing the frequency of drivers resorting to less than ideal parking options, thereby reducing the frequency of lanes being partially or fully blocked.

The proposed exemption would be effective for 2 years, the maximum period allowed by § 381.300.

Public Comments

On November 24, 2014, FMCSA published notice of this application, and asked for public comment (79 FR 69983); 79 responses were submitted. Comments in favor of the proposed exemption were submitted by the California Construction Trucking Association (CCTA); Dawes Rigging & Crane Rental Inc.; Mammoet USA South Inc.; Miller Transfer; the Owner-Operator Independent Drivers Association (OOIDA); Suit-Kote Corporation; and 42 individuals and truck drivers.

CCTA stated that it ''encourages FMCSA to grant the exemption from the 30-minute break requirement (49 CFR 395.3(a)(3)(ii)) requested by SC&RA because we believe granting the exemption request will achieve the same level of safety benefit when compared to those drivers still mandated to take the break.''

OOIDA concurred ''with the request for exemption of the 30-minute break requirement submitted by the SCRA. The exemption request, which addresses a number of concerns raised by OOIDA members with the 2013 changes to the hours-of-service regulations, would provide a level of safety equal to or greater than that achieved without the exemption. Oversize/Overweight loads present challenges for the driver and all other parties involved in the movement of the load.''

Ms. Tiffany Myhre commented that ''I support the exemption filed by SC&RA regarding the 30 minute break requirement for carriers hauling oversize/overweight loads under a permit. This break can cause concerns when we have DPS escorts that are trying to push us through the 30 minute break.''

The American Trucking Associations (ATA) and the International Union of Operating Engineers (IUOE) were among 26 respondents that did not explicitly support or oppose the proposed exemption. Many of the individual respondents commented on the impracticality of the 30-minute rule and the unintended consequences it entails.

The ATA wrote that ''The safety of the industry and the driving public is better served by rules that encourage flexibility to drive when alert and to make decisions to reduce risk. Furthermore, by crafting and enforcing a rigid rule that doesn't account for diversity of trucking operations, FMCSA is forced to expend additional valuable resources to address the myriad of exemption requests seeking the additional flexibility that should have been addressed during the rulemaking process.''

A commenter who identified himself as Arthur P. stated that ''Most routes on 2 lane roads have no parking for trucks let alone a truck with an OS load. States like Ohio and Pennsylvania will not allow you off your route for fuel or food let alone a DOT required break. If you stop before you enter Ohio for your 30 minute break, you might not have enough time to cross Ohio. Then you will be in violation of Ohio law because you have nowhere to stop.''

The IUOE recommended that ''the FMCSA undertake a study of the safety and health benefits of a 30-minute break for operators of specialized CMVs in the construction industry before making a determination on the SCRA's request for an exemption.'' IUOE also urged ''the FMCSA to study the extent to which the SCRA's primary justification for the exemption from the rule—*i.e.,* the alleged greater danger created by the limited availability of commercial vehicle parking spaces—is factually accurate for most OS/OW loads for which a permit is required given the distances typically travelled. Without this, information, the FMCSA is in no position to evaluate whether the SCRA has met its burden of proof.''

The Advocates for Highway and Auto Safety (Advocates) were among the five respondents who opposed the exemption. The Advocates commented that ''None of the measures described by SCRA are related in any way to the need to combat the acute fatigue of working and driving a vehicle for up to eight hours straight. The FMCSA itself made the case that safety requires a one-half hour break after eight hours on duty, and the Application provides no information to either refute or countermand the need for that break time as it applies to OS/OW operators.''

A commenter identified only as Trish said that ''All drivers are faced with the

challenge of finding refuge for the required 30 minute break, whether it's from traffic or fear of life in some instances. Continuing to grant exemptions defeats the purpose of the rule and is unfair to grant on the basis of someone's business model. Choosing to haul cattle, household OR oversize should not exempt carriers from the rules and regulations enacted to promote safety.''

FMCSA Decision

FMCSA has evaluated SC&RA's application and the public comments and decided to grant the exemption. The arguments against the exemption are not trivial. While livestock may be physically endangered if the vehicle transporting them has to stop while the driver takes a 30-minute break—as recognized in the exemption granted to livestock haulers (79FR 33634, June 11, 2014)—the same cannot be said of OS/OW loads. It is also true that parking shortages affect drivers of many types of vehicle. Nonetheless, finding suitable parking for trucks with OS/OW loads is particularly difficult, as SC&RA pointed out, and the default option is likely to be parking on the shoulder of a highway, with the load sometimes extending into the lanes of traffic. No matter how well marked, trucks parked at roadside, especially at night, are too often mistaken for moving vehicles and struck, frequently with fatal consequences, before an inattentive driver can correct his mistake. Based on available information, the number of such crashes likely to occur during a 30-minute break cannot be estimated, but the Agency has concluded that drivers of OS/OW vehicles are at least as likely to be involved in a crash while parked at roadside during a 30-minute break as while driving during that same period and the hour or so thereafter, where the break typically has the greatest benefit. FMCSA has therefore decided to grant the exemption, subject to the terms and conditions outlined below.

Terms of the Exemption

1. Drivers of specialized loads moving in interstate commerce that exceed normal weight and dimensional limits—oversize/overweight (OS/OW) loads—and require a permit issued by a government authority, are exempt from the requirement for a 30-minute rest break in § 395.3(a)(3)(ii). Drivers of loads not moving in interstate commerce are not eligible for this exemption.

2. Drivers must have a copy of this exemption document in their possession while operating under the terms of the exemption. The exemption document must be presented to law enforcement officials upon request.

3. All motor carriers operating under this exemption must have a ''Satisfactory'' safety rating with FMCSA, or be ''unrated.'' Motor carriers with ''Conditional'' or ''Unsatisfactory'' FMCSA safety ratings are prohibited from using this exemption.

4. All motor carriers operating under this exemption must have Safety Measurement System (SMS) scores below FMCSA's intervention thresholds, as displayed at *http://ai.fmcsa.dot.gov/sms/.*

Period of the Exemption

This exemption from the requirements of 49 CFR 395.3(a)(3)(ii) is granted for the period from 12:01 a.m., June 18, 2015 through 11:59 p.m., June 18, 2017.

Extent of the Exemption

This exemption is limited to the provisions of 49 CFR 395.3(a)(3)(ii). These drivers must comply with all other applicable provisions of the FMCSRs.

Preemption

In accordance with 49 U.S.C. 31315(d), during the period this exemption is in effect, no State shall enforce any law or regulation that conflicts with or is inconsistent with this exemption with respect to a firm or person operating under the exemption.

Notification to FMCSA

Any motor carrier utilizing this exemption must notify FMCSA within 5 business days of any accident (as defined in 49 CFR 390.5), involving any of the motor carrier's CMV drivers operating under the terms of this exemption. The notification must include the following information:

a. Name of operating motor carrier and USDOT number,

b. Date of the accident,

c. City or town, and State, in which the accident occurred, or closest to the accident scene,

d. Driver's name and license number and State of issuance,

e. Vehicle number and State license plate number,

f. Number of individuals suffering physical injury,

g. Number of fatalities,

h. The police-reported cause of the accident,

i. Whether the driver was cited for violation of any traffic laws or motor carrier safety regulations, and

j. The driver's total driving time and total on-duty time period prior to the accident.

Reports filed under this provision shall be emailed to *MCPSD@DOT.GOV.*

Termination

FMCSA believes carriers transporting OS/OW loads under permit will continue to maintain their previous safety record while operating under this exemption. However, should problems occur, FMCSA will take all steps necessary to protect the public interest, including revocation or restriction of the exemption. The FMCSA will immediately revoke or restrict the exemption for failure to comply with its terms and conditions.

Issued on: June 8, 2015.

T.F. Scott Darling, III,

Chief Counsel.

[FR Doc. 2015–15018 Filed 6–17–15; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activity; Proposed Collection

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Special Valuation Rules.

DATES: Written comments should be received on or before August 17, 2015 to be assured of consideration.

ADDRESSES: Direct all written comments to Christie A. Preston, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the regulations should be directed to Martha R. Brinson, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet at *Martha.R.Brinson@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Special Valuation Rules.

OMB Number: 1545–1241.

Regulation Project Number: TD 8395.

Abstract: Section 2701 of the Internal Revenue Code allows various elections by family members who make gifts of common stock or partnership interests and retain senior interests in the same entity. This regulation provides guidance on how taxpayers make these elections, what information is required, and how the transfer is to be disclosed on the gift tax return (Form 709).

Current Actions: There is no change to this existing regulation.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households.

Estimated Number of Respondents: 1,200.

Estimated Time per Respondent: 25 minutes.

Estimated Total Annual Burden Hours: 496.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number.

Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: June 3, 2015.

Christie A. Preston,

IRS Reports Clearance Officer.

[FR Doc. 2015–15057 Filed 6–17–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Regulation Project

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). The IRS is soliciting comments concerning information collection requirements related to Tax Shelter Regulations.

DATES: Written comments should be received on or before August 17, 2015 to be assured of consideration.

ADDRESSES: Direct all written comments to Christie Preston, Internal Revenue Service, room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the regulations should be directed to LaNita Van Dyke at Internal Revenue Service, room 6517, 1111 Constitution Avenue NW., Washington, DC 20224, or through the internet at *Lanita.VanDyke@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Tax Shelter Disclosure Regulations.

OMB Number: 1545–1685.

Regulation Project Number: T.D. 9046.

Abstract: These regulations finalize the rules relating to the filing by certain taxpayers of a disclosure statement with their Federal tax returns under section 6011(a), the rules relating to the registration of confidential corporate tax shelters under section 6111(d), and the rules relating to the list maintenance requirements under section 6112. These regulations affect taxpayers participating in reportable transactions, persons responsible for registering confidential corporate tax shelters, and organizers and sellers of potentially abusive tax shelters.

Current Actions: There is no change to these existing regulations.

Type of Review: Extension of currently approved collection.

Affected Public: Individual or households, Business or other for-profit organizations.

The estimated annual burden per respondent/recordkeeper for the collection of information in § 1.6011–4 will be reflected on Form 8886.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: June 9, 2015.

Christie Preston,

IRS Reports Clearance Officer.

[FR Doc. 2015–15056 Filed 6–17–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request on Excise Tax for Income Realized on Receipt of Greenmail

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed

and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning excise tax on greenmail.

DATES: Written comments should be received on or before August 17, 2015 to be assured of consideration.

ADDRESSES: Direct all written comments to Christie Preston, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the regulations should be directed to R. Joseph Durbala at Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or at (202) 317–5746, or through the internet at *RJoseph.Durbala@irs.gov*.

SUPPLEMENTARY INFORMATION:

Title: Excise Tax Relating to Gain or Other Income Realized By Any Person on Receipt of Greenmail.

OMB Number: 1545–1049.

Regulation Project Number: TD 8379 (final); TD 9407 (final).

Form Number: 8725.

Abstract: The regulations provide rules relating to the manner and method of reporting and paying the nondeductible 50 percent excise tax imposed by section 5881 of the Internal Revenue Code with respect to the receipt of greenmail. The reporting requirements will be used to verify that the excise tax imposed under section 5881 is properly reported and timely paid. Form 8725 is used by persons who receive ''greenmail'' to compute and pay the excise tax on greenmail imposed under Internal Revenue Code section 5881. IRS uses the information to verify that the correct amount of tax has been reported.

Current Actions: There is no change to this existing regulation. However, IRS is consolidating data reported under 2 different approval numbers (1545–1086 and 1545–1049), to eliminate the perception of double counting the same tax requirements.

Type of Review: Revision of a currently approved collection.

Affected Public: Individuals and business or other for-profit organizations.

Estimated Number of Respondents: 12.

Estimated Time per Respondent: 7 hours, 37 minutes.

Estimated Total Annual Burden Hours: 92.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number.

Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: June 8, 2015.

Christie Preston,

IRS, Reports Clearance Officer.

[FR Doc. 2015–15042 Filed 6–17–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 712

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 712, Life Insurance Statement.

DATES: Written comments should be received on or before August 17, 2015 to be assured of consideration.

ADDRESSES: Direct all written comments to Christie Preston, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to R. Joseph Durbala at (202) 317–5746, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224 or through the internet at *RJoseph.Durbala@irs.gov*.

SUPPLEMENTARY INFORMATION:

Title: Life Insurance Statement.

OMB Number: 1545–0022.

Form Number: 712.

Abstract: Form 712 provides taxpayers and the IRS with information to determine if insurance on the decedent's life is includible in the gross estate and to determine the value of the policy for estate and gift tax purposes. The tax is based on the value of the life insurance policy.

Current Actions: There are no changes being made to Form 712 at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Businesses or other for-profit organizations.

Estimated Number of Responses: 60,000.

Estimated Time Per Response: 18 hrs. 40 minutes.

Estimated Total Annual Burden Hours: 1,120,200.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number.

Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request For Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate

of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: June 8, 2015.

Christie Preston,

IRS, Reports Clearance Officer.

[FR Doc. 2015–15049 Filed 6–17–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activity; Proposed Collection

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Automatic Consent for Eligible Educational Institution to Change Reporting Methods.

DATES: Written comments should be received on or before August 17, 2015 to be assured of consideration.

ADDRESSES: Direct all written comments to Christie A. Preston, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to Martha R. Brinson, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet at *Martha.R.Brinson@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Automatic Consent for Eligible Educational Institution to Change Reporting Methods.

OMB Number: 1545–1952.

Form Number: Rev. Proc 2005–50.

Abstract: This revenue procedure prescribes how an eligible educational institution may obtain automatic consent from the Service to change its method of reporting under section 6050S of the Code and the Income Tax Regulations.

Current Actions: There is no change in the paperwork burden previously approved by OMB. This form is being submitted for renewal purposes only.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals and Households, Businesses and other for-profit organizations.

Estimated Number of Respondents: 30.

Estimated Time per Respondent: 10 hours.

Estimated Total Annual Burden Hours: 300.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

REQUEST FOR COMMENTS: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: June 3, 2015.

Christie A. Preston,

IRS Reports Clearance Officer.

[FR Doc. 2015–15062 Filed 6–17–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 5884–C

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 5884–C, Work Opportunity Credit for Qualified Tax-Exempt Organizations Hiring Qualified Veterans.

DATES: Written comments should be received on or before August 17, 2015 to be assured of consideration.

ADDRESSES: Direct all written comments to Christie Preston, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to LaNita Van Dyke, at Internal Revenue Service, Room 6517, 1111 Constitution Avenue NW., Washington, DC 20224, or through the internet at *Lanita.VanDyke@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Work Opportunity Credit for Qualified Tax-Exempt Organizations Hiring Qualified Veterans.

OMB Number: 1545–2226.

Form Number: Form 5884–C.

Abstract: Form 5884–C, Work Opportunity Credit for Qualified Tax-Exempt Organizations Hiring Qualified Veterans, was developed as a result of VOW to Hire Heroes Act of 2011, Public Law 112–56. Section 261 of Public Law 112–56 expanded the Work Opportunity Credit to tax-exempt organizations that hire unemployed veterans. The tax credit is a reduction in payroll taxes paid by the tax-exempt organization. Form 5884–C allows a tax-exempt organization a way to claim the credit and provides the IRS the information to process the tax credit.

Current Actions: There is no change in the paperwork burden previously approved by OMB. This form is being submitted for renewal purposes only.

Type of Review: Extension of currently approved collection.

Affected Public: Individuals or households, Business or other for-profit groups, Not-for-profit institutions, Farms, Federal Government, State, Local, or Tribal Governments.

Estimated Number of Respondents: 60,530.

Estimated Time per Respondent: 6 hours 34 minutes.

Estimated Total Annual Burden Hours: 397,683.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

REQUEST FOR COMMENTS: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: June 9, 2015.

Christie Preston,

IRS Reports Clearance Officer.

[FR Doc. 2015–15054 Filed 6–17–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 5310–A

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 5310–A, Notice of Plan Merger or Consolidation, Spinoff, or Transfer of Plan Assets or Liabilities; Notice of Qualified Separate Lines of Business.

DATES: Written comments should be received on or before August 17, 2015 to be assured of consideration.

ADDRESSES: Direct all written comments to Christie Preston, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to LaNita Van Dyke at Internal Revenue Service, Room 6517, 1111 Constitution Avenue NW., Washington, DC 20224, or through the internet at *Lanita.VanDyke@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Notice of Plan Merger or Consolidation, Spinoff, or Transfer of Plan Assets or Liabilities; Notice of Qualified Separate Lines of Business.

OMB Number: 1545–1225.

Form Number: 5310–A.

Abstract: Internal Revenue Code section 6058(b) requires plan administrators to notify IRS of any plan mergers, consolidations, spinoffs, or transfers of plan assets or liabilities to another plan. Code section 414(r) requires employers to notify IRS of separate lines of business for their deferred compensation plans. Form 5310–A is used to make these notifications.

Current Actions: There are no changes being made to the form at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 15,000.

Estimated Time per Respondent: 10 hours, 35 minutes.

Estimated Total Annual Burden Hours: 158,800.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: June 9, 2015.

Christie Preston,

IRS Reports Clearance Officer.

[FR Doc. 2015–15050 Filed 6–17–15; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Privacy Act of 1974; Systems of Records

AGENCY: Department of the Treasury.

ACTION: Notice of proposed Privacy Act of 1974 systems of records.

SUMMARY: In accordance with the Privacy Act of 1974, as amended, 5 U.S.C. 552a, the Department of the Treasury (''Treasury'') proposes to establish new Privacy Act systems of records titled ''Treasury .017—Correspondence and Contact Information.'' The systems will be used to facilitate mailings and correspondence to multiple addressees and other activities in furtherance of Treasury duties. Treasury bureaus and Departmental Offices will use the systems to account for all individuals appearing on contact lists and individuals who choose to be placed on Treasury mailing lists; maintaining lists of individuals who attend meetings; maintaining information regarding individuals who enter Treasury-sponsored contests; and for other

purposes for which mailing or contact lists may be created.

DATES: Submit comments on or before July 20, 2015. This new systems will be effective July 28, 2015 unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, by one of the following methods:

- *Online:* Submit comments to the Federal eRulemaking Portal electronically at: *http://www.regulations.gov.*
- *Fax:* 202–622–3895.
- *Mail:* Helen Goff Foster, Deputy Assistant Secretary for Privacy, Transparency, and Records, Department of the Treasury, 1500 Pennsylvania Ave. NW., Washington, DC 20220.

Instructions: All comments received will be posted without change to *http://www.regulations.gov,* including any personal information you provide with your submission. For access to background documents or comments received, go to *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: For general questions and for privacy issues please contact: Deputy Assistant Secretary for Privacy, Transparency, and Records, Department of the Treasury, 1500 Pennsylvania Ave. NW., Washington, DC 20220, or at (202) 622–0790 (not toll-free).

SUPPLEMENTARY INFORMATION:

In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, the Department of the Treasury proposes to establish new systems of records titled, ''Treasury .017—Correspondence and Contact Information.'' Information about the proposed systems of records is published in its entirety below.

In accordance with 5 U.S.C. 552a(r), Treasury provided a report of these systems of records to the Office of Management and Budget and to Congress.

Dated: June 1, 2015.

Helen Goff Foster,

Deputy Assistant Secretary for Privacy, Transparency, and Records.

TREASURY .017

SYSTEM NAME:

Treasury .017—Correspondence and Contact Information.

SYSTEM LOCATION:

The records are located in Treasury bureaus and offices, both in Washington, DC and at field locations as follows:

(1) Departmental Offices: 1500 Pennsylvania Ave. NW., Washington, DC 20220;

(2) Alcohol and Tobacco Tax and Trade Bureau: 1310 G St. NW., Washington, DC 20220.

(3) Office of the Comptroller of the Currency: Constitution Center, 400 Seventh St. SW., Washington, DC 20024;

(4) Fiscal Service: Liberty Center Building, 401 14th St. SW., Washington, DC 20227;

(5) Internal Revenue Service: 1111 Constitution Ave. NW., Washington, DC 20224;

(6) United States Mint: 801 Ninth St. NW., Washington, DC 20220;

(7) Bureau of Engraving and Printing: Eastern Currency Facility, 14th and C Streets SW., Washington, DC 20228 and Western Currency Facility, 9000 Blue Mound Rd., Fort Worth, TX 76131;

(8) Financial Crimes Enforcement Network: Vienna, VA 22183;

(9) Special Inspector General for the Troubled Asset Relief Program: 1801 L St. NW., Washington, DC 20220;

(10) Office of Inspector General: 740 15th St. NW., Washington, DC 20220;

(11) Office of the Treasury Inspector General for Tax Administration: 1125 15th St. NW., Suite 700A, Washington, DC 20005; and

(12) Financial Stability Oversight Council (FSOC): 1500 Pennsylvania Ave. NW., Washington, DC 20220.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEMS:

- Individuals who serve on Treasury boards and committees;
- Third parties who identify potential contacts or who provide information Treasury uses to determine an individual's inclusion on a mailing or contact list;
- Individuals who provide contact information, or otherwise consent to having their contact information used, for facilitating communication with Treasury, including but not limited to, members of the public, government officials, representatives of industry, media, non-profits, academia, and others who express an interest in Treasury-related programs and activities;
- Individuals who request information or inclusion on mailing lists for information or updates from Treasury or one of its bureaus or offices, concerning specific issues or topics;
- Treasury employees, contractors, grantees, fiscal agents, financial agents, interns, and detailees, members of the public, government officials, and representatives of industry, media, non-profits, academia, and others, paid or non-paid, attending a Treasury sponsored event, work activity, or an event in which Treasury participated, including meetings, events, or conferences;
- Emergency contact information for the individual point-of-contact for organizations in the event that individual suffers an injury on Treasury premises;
- Alternative points-of-contact contact information provided by individuals or organizations included in a mailing or contact list; and
- Individuals who voluntarily join a Treasury-owned and operated web portal for collaboration purposes.

CATEGORIES OF RECORDS IN THE SYSTEMS:

- Name
- Preferred name
- Business contact information including, but not limited to:
  - Business or organization name;
  - Business or organization type;
  - Business mailing address;
  - Job or functional title or business affiliation;
  - Phone number(s);
  - Mobile phone number; fax number;
  - Pager number;
  - Electronic mail (Email) addresses;
- Personal contact information, including, but not limited to:
  - Mailing address;
  - Phone number(s);
  - Mobile phone number; fax number;
  - Pager number;
  - Electronic mail (Email) addresses;
- Other contact information provided by individuals while on travel or otherwise away from the office or home, including:
  - Assistant or other similar point of contact's name, title, or contact information;
- Preferred contact method(s) and contact rules (any specific rules to be followed when considering contacting an individual);
- Communications between Treasury employees and members of the public, Federal, state and local government officials, and representatives of industry, media, non-profits, and academia;
- General descriptions of particular topics or subjects of interest as related to individuals or organizations who communicate with Treasury;
- Information regarding curricula vitae, including memberships in professional societies, affiliation with standards bodies, any teaching positions held, or any publications associated with the individual;
- Travel preferences (individuals who serve on Treasury boards and committees only);
- Identification number assigned by computer in cases where created in order to retrieve information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEMS:

5 U.S.C. 301.

PURPOSES:

The systems are maintained to mail informational literature or responses to those who request it; maintain lists of individuals who attend Treasury sponsored events, conferences, work meetings and other activities, or events in which Treasury participates; maintain lists and credentials of individuals who Treasury may consult professionally in furtherance of its mission; and for other purposes for which mailing or contact lists may be created.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEMS, INCLUDING CATEGORIES OF USERS AND THE 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 theses systems may be disclosed outside Treasury as a routine use pursuant to 5 U.S.C. 552a(b)(3), as follows:

A. To the Department of Justice (including United States Attorneys' Offices) or other federal agencies conducting litigation or in proceedings before any court or 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. Treasury or any component thereof;

2. Any employee of Treasury in his/her official capacity;

3. Any employee of Treasury in his/her individual capacity where the Department of Justice or Treasury has agreed to represent the employee; or

4. The United States or any agency thereof.

B. To a congressional office in response to an inquiry made at the request of the individual to whom the record pertains.

C. To the National Archives and Records Administration 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. Treasury suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised;

2. The disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with Treasury's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

F. To contractors and their agents, grantees, experts, consultants, fiscal agents, financial agents, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for Treasury, when necessary to accomplish an agency function related to the 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 Treasury officers and employees.

G. To an appropriate Federal, state, tribal, local, international, or foreign law enforcement agency or other appropriate authority charged with investigating or prosecuting a violation or enforcing or implementing a law, rule, regulation, or order, where a record, either on its face or in conjunction with other information, indicates a violation or potential violation of law, which includes criminal, civil, or regulatory violations and such disclosure is proper and consistent with the official duties of the person authorizing the disclosure.

H. To sponsors, employers, contractors, facility operators, grantees, experts, fiscal agents, financial agents, and consultants, paid or non-paid, in connection with establishing an access account for an individual or maintaining appropriate points of contact and when necessary to accomplish a Treasury mission function or objective related to the system of records.

I. To other individuals in the same operational program supported by an information technology resource, where appropriate notice to the individual has been made that his or her contact information will be shared with other members of the same operational program in order to facilitate collaboration.

J. To federal agencies, councils and offices, such as the Office of Personnel Management, the Merit Systems Protection Board, the Office of Management and Budget, the Federal Labor Relations Authority, the Government Accountability Office, the Financial Stability Oversight Council, and the Equal Employment Opportunity Commission in the fulfillment of these agencies' official duties.

K. To international, Federal, state, local, tribal, or private entities for the purpose of the regular exchange of business contact information in order to facilitate collaboration for official business.

L. To the news media and the public, with the approval of the Senior Agency Official for Privacy, or her designee, in consultation with counsel, when there exists a legitimate public interest in the disclosure of the information or when disclosure is necessary to preserve confidence in the integrity of Treasury or is necessary to demonstrate the accountability of Treasury's officers, employees, or individuals covered by the system, except to the extent it is determined 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 STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records in these systems are on paper and/or in digital or other electronic form. Digital and other electronic images are stored on a storage area network in a secured environment. Records, whether paper or electronic, may be stored in Departmental Offices or at the bureau or office level.

RETRIEVABILITY:

Information may be retrieved, sorted, and/or searched by an identification number assigned by computer, facility, business affiliation, email address, name of the individual, or other data fields previously identified in this System of Records Notice.

SAFEGUARDS:

Information in these systems is safeguarded in accordance with applicable laws, rules, and policies, including Treasury Directive 85–01, Department of the Treasury Information Technology (IT) Security Program. Further, security protocols for these systems of records will meet multiple National Institute of Standards and Technology security standards from authentication to certification and authorization. Records in these systems of records will be maintained in a secure, password protected electronic system that will use security hardware and software to include: Multiple firewalls, active intruder detection, and role-based access controls. Additional safeguards will vary by component and program. All records are protected from unauthorized access through appropriate administrative, physical, and technical safeguards. These safeguards include restricting access to authorized personnel who have a ''need

to know,'' using locks, and password protection identification features. Treasury file areas are locked after normal duty hours and the facilities are protected by security personnel who monitor access to and egress from Treasury facilities.

RETENTION AND DISPOSAL:

Records are securely retained and disposed of in accordance with the National Archives and Records Administration's General Records Schedule 12, item 2a. Files may be retained for up to three years depending on the record. For records that may be used in litigation, the files related to that litigation will be retained for three years after final court adjudication.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Freedom of Information Act and Transparency, Office of Privacy, Transparency, and Records, 1500 Pennsylvania Avenue NW., Washington, DC 20220.

NOTIFICATION PROCEDURE:

Individuals seeking notification of and access to any record contained in these systems of records, or seeking to contest its content, may submit a request in writing, in accordance with Treasury's Privacy Act regulations (located at 31 CFR 1.26), to the Freedom of Information Act (FOIA) and Transparency Liaison, whose contact information can be found at *http://www.treasury.gov/FOIA/Pages/index.aspx* under ''FOIA Requester Service Centers and FOIA Liaison.'' If an individual believes more than one bureau maintains Privacy Act records concerning him or her, the individual may submit the request to the Office of Privacy, Transparency, and Records, FOIA and Transparency, Department of the Treasury, 1500 Pennsylvania Ave. NW., Washington, DC 20220.

No specific form is required, but a request must be written and:

- Be signed and either 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
- State that the request is made pursuant to the FOIA and/or Privacy Act disclosure regulations;
- Include information that will enable the processing office to determine the fee category of the user;
- Be addressed to the bureau that maintains the record (in order for a request to be properly received by the Department, the request must be received in the appropriate bureau's disclosure office);
- Reasonably describe the records;
- Give the address where the determination letter is to be sent;
- State whether or not the requester wishes to inspect the records or have a copy made without first inspecting them; and
- Include a firm agreement from the requester to pay fees for search, duplication, or review, as appropriate. In the absence of a firm agreement to pay, the requester may submit a request for a waiver or reduction of fees, along with justification of how such a waiver request meets the criteria for a waiver or reduction of fees found in the FOIA statute at 5 U.S.C. 552(a)(4)(A)(iii).

You may also submit your request online at *https://rdgw.treasury.gov/foia/pages/gofoia.aspx* and call 1–202–622–0930 with questions.

RECORD ACCESS PROCEDURES:

See ''Notification procedure'' above.

CONTESTING RECORD PROCEDURES:

See ''Notification procedure'' above.

RECORD SOURCE CATEGORIES:

Information contained in these systems is obtained from affected individuals, organizations, and facilities; public source data; other government agencies; and information already in other Treasury records systems.

EXEMPTIONS CLAIMED FOR THESE SYSTEMS:

None.

[FR Doc. 2015–15039 Filed 6–17–15; 8:45 am]

BILLING CODE 4810–25–P

DEPARTMENT OF VETERANS AFFAIRS

Cancellation of Meeting; Genomic Medicine Program Advisory Committee; Notice of Meeting Cancellation

AGENCY: Department of Veterans Affairs.

The Department of Veterans Affairs gives notice under the Federal Advisory Committee Act, 5 U.S.C., App. 2, that a meeting of the Genomic Medicine Program Advisory Committee, previously scheduled to be held in Room 230, on June 30, 2015, at the Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC, is hereby cancelled. The Notice of Meeting appeared in the **Federal Register** on May 22, 2015, on page 29793.

If you have any questions, please contact Sumitra Muralidhar, Designated Federal Officer, at *Sumitra.muralidhar@va.gov* or on (202) 443–5679.

Dated: June 15, 2015.

Rebecca Schiller,

Committee Management Officer.

[FR Doc. 2015–14990 Filed 6–17–15; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Disability Compensation, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. App. 2, that the Advisory Committee on Disability Compensation (Committee) will meet July 20–21, 2015, at the U.S. Department of Veterans Affairs, Room 530, 810 Vermont Avenue, Washington, DC 20420. The sessions will begin at 8:30 a.m. and end at 4:30 p.m. each day. The meeting is open to the public.

The purpose of the Committee is to advise the Secretary of Veterans Affairs on the maintenance and periodic readjustment of the VA Schedule for Rating Disabilities. The Committee is to assemble and review relevant information relating to the nature and character of disabilities arising during service in the Armed Forces, provide an ongoing assessment of the effectiveness of the rating schedule, and give advice on the most appropriate means of responding to the needs of Veterans relating to disability compensation.

The Committee will receive briefings on issues related to compensation for Veterans with service-connected disabilities and other VA benefits programs. Time will be allocated for receiving public comments. 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-served basis. Individuals who speak are invited to submit 1–2 page summaries of their comments at the time of the meeting for inclusion in the official meeting record.

The public may submit written statements for the Committee's review to Nancy Copeland, Department of Veterans Affairs, Veterans Benefits Administration, Compensation Service, Policy Staff (211A), 810 Vermont Avenue NW., Washington, DC 20420 or email at *nancy.copeland@va.gov* or submit to Dr. Ioulia Vvedenskaya at *Ioulia.vvedenskaya@va.gov* at the same address. 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 clearance process. Therefore, you should allow an additional 15 minutes before the

meeting begins. Any member of the public wishing to attend the meeting or seeking additional information should email Mrs. Copeland or contact her at (202) 461–9685 or Dr. Vvedenskaya or call her at (202) 461–9882.

Dated: June 15, 2015.

Jelessa Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2015–14999 Filed 6–17–15; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

MyVA Advisory Committee; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. App. 2., that the MyVA Advisory Committee (MVAC) will meet July 14 and 15, 2015 at the Department of Veterans Affairs, Washington DC VA Medical Center, 50 Irving Street NW., Freedom Auditorium, Washington, DC 20422.

The purpose of the Committee is to advise the Secretary, through the Executive Director, MyVA Task Force Office regarding the MyVA initiative and VA's ability to rebuild trust with Veterans and other stakeholders, improve service delivery with a focus on Veteran outcomes, and set the course for longer-term excellence and reform of the VA.

On July 14 from 8:30 a.m. to 2:00 p.m., the Committee will convene a closed session in order to protect patient privacy as the Committee tours the Washington DC VA Medical Center. 5 U.S.C. 552b(b)(6). In the afternoon from 2:00 p.m. to 5:00 p.m., the Committee will reconvene in an open session to discuss the progress on and the integration of the work in the five key MyVA work streams—Veteran Experience (explaining the efforts conducted to improve the Veteran's experience), Employees Experience, Support Services Excellence (such as information technology and human resources), Performance Improvement (projects undertaken to date and those upcoming), and VA Strategic Partnerships.

On July 15, from 8:30 a.m. to 3:00 p.m., the Committee will discuss and recommend areas for improvement on VA's work to date, plans for the future, and integration of the MyVA efforts. This session is open to the public. No time will be allocated at this meeting for receiving oral presentations from the public. However, the public may submit written statements for the Committee's review to Debra Walker, Designated Federal Officer, MyVA Program Management Office, Department of Veterans Affairs, 1800 G Street NW., Room 880–40, Washington, DC 20420, or email at *Debra.Walker3@va.gov.* Any member of the public wishing to attend the meeting or seeking additional information should contact Ms. Walker.

Because the meeting will be held in a Government building, anyone attending must be prepared to show a valid government issued photo ID. Please allow 15 minutes before the meeting begins for this process.

Dated: June 15, 2015.

Jelessa Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2015–15000 Filed 6–17–15; 8:45 am]

BILLING CODE P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part II

Regulatory Information Service Center

Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions

REGULATORY INFORMATION SERVICE CENTER

Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Regulatory Information Service Center.

ACTION: Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions.

SUMMARY: The Spring 2015 Unified Agenda of Federal Regulatory and Deregulatory Actions. Publication of the Spring 2015 Unified Agenda of Federal Regulatory and Deregulatory Actions represents a key component of the regulatory planning mechanism prescribed in Executive Order 12866 ''Regulatory Planning and Review'' (58 FR 51735) and incorporated by reference in the President's Executive Order 13563, ''Improving Regulation and Regulatory Review,'' issued on January 18, 2011 (76 FR 3821).

The Regulatory Flexibility Act requires that agencies publish semiannual regulatory agendas in the **Federal Register** describing regulatory actions they are developing that may have a significant economic impact on a substantial number of small entities (5 U.S.C. 602).

In the Unified Agenda of Federal Regulatory and Deregulatory Actions (Unified Agenda) agencies report regulatory actions upcoming in the next year. Executive Order 12866 ''Regulatory Planning and Review,'' signed September 30, 1993 (58 FR 51735), and Office of Management and Budget memoranda implementing section 4 of that Order establish minimum standards for agencies' agendas, including specific types of information for each entry.

The Unified Agenda helps agencies fulfill these requirements. All Federal regulatory agencies have chosen to publish their regulatory agendas as part of the Unified Agenda.

The complete Unified Agenda for spring 2015, which contains the regulatory agendas for 63 Federal agencies, is available to the public at *http://reginfo.gov.*

The spring 2015 Unified Agenda publication appearing in the **Federal Register** consists of agency regulatory flexibility agendas, in accordance with the publication requirements of the Regulatory Flexibility Act. Agency regulatory flexibility agendas contain only those Agenda entries for rules that are likely to have a significant economic impact on a substantial number of small entities and entries that have been selected for periodic review under section 610 of the Regulatory Flexibility Act.

ADDRESSES: Regulatory Information Service Center (MVE), General Services Administration, 1800 F Street NW., MVE, Room 2219F, Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: For further information about specific regulatory actions, please refer to the agency contact listed for each entry.

To provide comment on or to obtain further information about this publication, contact: John C. Thomas, Executive Director, Regulatory Information Service Center (MVE), General Services Administration, 1800 F Street NW., MVE, Room 2219F, Washington, DC 20405, (202) 482–7340. You may also send comments to us by email at: *RISC@gsa.gov.*

SUPPLEMENTARY INFORMATION:

TABLE OF CONTENTS

Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions

I. What is the Unified Agenda?
II. Why is the Unified Agenda published?
III. How is the Unified Agenda organized?
IV. What information appears for each entry?
V. Abbreviations
VI. How can users get copies of the Plan and the Agenda?

AGENCY AGENDAS

Cabinet Departments

Department of Agriculture
Department of Commerce
Department of Defense
Department of Energy
Department of Health and Human Services
Department of Homeland Security
Department of the Interior
Department of Justice
Department of Labor
Department of Transportation

Other Executive Agencies

Architectural and Transportation Barriers Compliance Board
Environmental Protection Agency
General Services Administration
National Aeronautics and Space Administration
Small Business Administration

Joint Authority

Department of Defense/General Services Administration/National Aeronautics and Space Administration (Federal Acquisition Regulation)

Independent Regulatory Agencies

Consumer Financial Protection Bureau
Consumer Product Safety Commission
Federal Communications Commission
Federal Reserve System
Nuclear Regulatory Commission
Securities and Exchange Commission

INTRODUCTION TO THE UNIFIED AGENDA OF FEDERAL REGULATORY AND DEREGULATORY ACTIONS

I. What is the Unified Agenda?

The Unified Agenda provides information about regulations that the Government is considering or reviewing. The Unified Agenda has appeared in the **Federal Register** twice each year since 1983 and has been available online since 1995. The complete Unified Agenda is available to the public at *http://reginfo.gov.* The online Unified Agenda offers user-friendly flexible search tools and a vast historical database.

The spring 2015 Unified Agenda publication appearing in the **Federal Register** consists of agency regulatory flexibility agendas, in accordance with the publication requirements of the Regulatory Flexibility Act. Agency regulatory flexibility agendas contain only those Agenda entries for rules that are likely to have a significant economic impact on a substantial number of small entities and entries that have been selected for periodic review under section 610 of the Regulatory Flexibility Act. Printed entries display only the fields required by the Regulatory Flexibility Act. Complete agenda information for those entries appears, in a uniform format, in the online Unified Agenda at *http://reginfo.gov.*

These publication formats meet the publication mandates of the Regulatory Flexibility Act and Executive Order 12866. The complete online edition of the Unified Agenda includes regulatory agendas from 63 Federal agencies. Agencies of the United States Congress are not included.

The following agencies have no entries identified for inclusion in the printed regulatory flexibility agenda. The regulatory agendas of these agencies are available to the public at *http://reginfo.gov.*

Department of Education
Department of Housing and Urban Development
Department of State
Department of Treasury
Department of Veterans Affairs
Agency for International Development
Commission on Civil Rights
Committee for Purchase From People Who Are Blind or Severely Disabled
Corporation for National and Community Service
Court Services and Offender Supervision Agency for the District of Columbia
Equal Employment Opportunity Commission
Institute of Museum and Library Services
National Archives and Records Administration
National Endowment for the Arts
National Endowment for the Humanities

National Science Foundation
Office of Government Ethics
Office of Management and Budget
Office of National Drug Control Policy
Office of Personnel Management
Peace Corps
Pension Benefit Guaranty Corporation
Railroad Retirement Board
Social Security Administration
Commodity Futures Trading Commission
Farm Credit Administration
Federal Deposit Insurance Corporation
Federal Energy Regulatory Commission
Federal Housing Finance Agency
Federal Maritime Commission
Federal Trade Commission
Gulf Coast Ecosystem Restoration Council
National Credit Union Administration
National Indian Gaming Commission
National Labor Relations Board
National Transportation Safety Board
Recovery Accountability and Transparency Board
Surface Transportation Board

The Regulatory Information Service Center compiles the Unified Agenda for the Office of Information and Regulatory Affairs (OIRA), part of the Office of Management and Budget. OIRA is responsible for overseeing the Federal Government's regulatory, paperwork, and information resource management activities, including implementation of Executive Order 12866 (incorporated by reference in Executive Order 13563). The Center also provides information about Federal regulatory activity to the President and his Executive Office, the Congress, agency officials, and the public.

The activities included in the Unified Agenda are, in general, those that will have a regulatory action within the next 12 months. Agencies may choose to include activities that will have a longer timeframe than 12 months. Agency agendas also show actions or reviews completed or withdrawn since the last Unified Agenda. Executive Order 12866 does not require agencies to include regulations concerning military or foreign affairs functions or regulations related to agency organization, management, or personnel matters.

Agencies prepared entries for this publication to give the public notice of their plans to review, propose, and issue regulations. They have tried to predict their activities over the next 12 months as accurately as possible, but dates and schedules are subject to change. Agencies may withdraw some of the regulations now under development, and they may issue or propose other regulations not included in their agendas. Agency actions in the rulemaking process may occur before or after the dates they have listed. The Unified Agenda does not create a legal obligation on agencies to adhere to schedules in this publication or to confine their regulatory activities to those regulations that appear within it.

II. Why Is the Unified Agenda published?

The Unified Agenda helps agencies comply with their obligations under the Regulatory Flexibility Act and various Executive orders and other statutes.

Executive Order 12866

Executive Order 12866 entitled ''Regulatory Planning and Review,'' signed September 30, 1993 (58 FR 51735), requires covered agencies to prepare an agenda of all regulations under development or review. The Order also requires that certain agencies prepare annually a regulatory plan of their ''most important significant regulatory actions,'' which appears as part of the fall Unified Agenda. Executive Order 13497, signed January 30, 2009 (74 FR 6113), revoked the amendments to Executive Order 12866 that were contained in Executive Order 13258 and Executive Order 13422.

Executive Order 13563

Executive Order 13563 entitled ''Improving Regulation and Regulatory Review,'' issued on January 18, 2011, supplements and reaffirms the principles, structures, and definitions governing contemporary regulatory review that were established in Executive Order 12866, which includes the general principles of regulation and public participation, and orders integration and innovation in coordination across agencies; flexible approaches where relevant, feasible, and consistent with regulatory approaches; scientific integrity in any scientific or technological information and processes used to support the agencies' regulatory actions; and retrospective analysis of existing regulations.

Regulatory Flexibility Act

The *Regulatory Flexibility Act* requires agencies to identify those rules that may have a significant economic impact on a substantial number of small entities (5 U.S.C. 602). Agencies meet that requirement by including the information in their submissions for the Unified Agenda. Agencies may also indicate those regulations that they are reviewing as part of their periodic review of existing rules under the Regulatory Flexibility Act (5 U.S.C. 610). Executive Order 13272 entitled ''Proper Consideration of Small Entities in Agency Rulemaking,'' signed August 13, 2002 (67 FR 53461), provides additional guidance on compliance with the Act.

Executive Order 13132

Executive Order 13132 entitled ''Federalism,'' signed August 4, 1999, (64 FR 43255), directs agencies to have an accountable process to ensure meaningful and timely input by State and local officials in the development of regulatory policies that have ''federalism implications'' as defined in the Order. Under the Order, an agency that is proposing a regulation with federalism implications, which either preempt State law or impose non-statutory unfunded substantial direct compliance costs on State and local governments, must consult with State and local officials early in the process of developing the regulation. In addition, the agency must provide to the Director of the Office of Management and Budget a federalism summary impact statement for such a regulation, which consists of a description of the extent of the agency's prior consultation with State and local officials, a summary of their concerns and the agency's position supporting the need to issue the regulation, and a statement of the extent to which those concerns have been met. As part of this effort, agencies include in their submissions for the Unified Agenda information on whether their regulatory actions may have an effect on the various levels of government and whether those actions have federalism implications.

Unfunded Mandates Reform Act of 1995

The *Unfunded Mandates Reform Act of 1995* (Pub. L. 104–4, title II) requires agencies to prepare written assessments of the costs and benefits of significant regulatory actions ''that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more . . . in any 1 year . . ..'' The requirement does not apply to independent regulatory agencies, nor does it apply to certain subject areas excluded by section 4 of the Act. Affected agencies identify in the Unified Agenda those regulatory actions they believe are subject to title II of the Act.

Executive Order 13211

Executive Order 13211 entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use,'' signed May 18, 2001 (66 FR 28355), directs agencies to provide, to the extent possible, information regarding the adverse effects that agency actions may have on the supply, distribution, and use of energy. Under the Order, the agency must prepare and submit a Statement of Energy Effects to the Administrator of

the Office of Information and Regulatory Affairs, Office of Management and Budget, for ''those matters identified as significant energy actions.'' As part of this effort, agencies may optionally include in their submissions for the Unified Agenda information on whether they have prepared or plan to prepare a Statement of Energy Effects for their regulatory actions.

Small Business Regulatory Enforcement Fairness Act

The *Small Business Regulatory Enforcement Fairness Act* (Pub. L. 104–121, title II) established a procedure for congressional review of rules (5 U.S.C. 801 *et seq.*), which defers, unless exempted, the effective date of a ''major'' rule for at least 60 days from the publication of the final rule in the **Federal Register**. The Act specifies that a rule is ''major'' if it has resulted, or is likely to result, in an annual effect on the economy of $100 million or more or meets other criteria specified in that Act. The Act provides that the Administrator of OIRA will make the final determination as to whether a rule is major.

III. How is the Unified Agenda organized?

Agency regulatory flexibility agendas are printed in a single daily edition of the **Federal Register**. A regulatory flexibility agenda is printed for each agency whose agenda includes entries for rules which are likely to have a significant economic impact on a substantial number of small entities or rules that have been selected for periodic review under section 610 of the Regulatory Flexibility Act. Each printed agenda appears as a separate part. The parts are organized alphabetically in four groups: Cabinet departments; other executive agencies; the Federal Acquisition Regulation, a joint authority; and independent regulatory agencies. Agencies may in turn be divided into sub-agencies. Each agency's part of the Agenda contains a preamble providing information specific to that agency. Each printed agency agenda has a table of contents listing the agency's printed entries that follow.

The online, complete Unified Agenda contains the preambles of all participating agencies. In the online Agenda, users can select the particular agencies whose agendas they want to see. Users have broad flexibility to specify the characteristics of the entries of interest to them by choosing the desired responses to individual data fields. To see a listing of all of an agency's entries, a user can select the agency without specifying any particular characteristics of entries.

Each entry in the Unified Agenda is associated with one of five rulemaking stages. The rulemaking stages are:

1. *Prerule Stage*—actions agencies will undertake to determine whether or how to initiate rulemaking. Such actions occur prior to a Notice of Proposed Rulemaking (NPRM) and may include Advance Notices of Proposed Rulemaking (ANPRMs) and reviews of existing regulations.

2. *Proposed Rule Stage*—actions for which agencies plan to publish a Notice of Proposed Rulemaking as the next step in their rulemaking process or for which the closing date of the NPRM Comment Period is the next step.

3. *Final Rule Stage*—actions for which agencies plan to publish a final rule or an interim final rule or to take other final action as the next step.

4. *Long-Term Actions*—items under development but for which the agency does not expect to have a regulatory action within the 12 months after publication of this edition of the Unified Agenda. Some of the entries in this section may contain abbreviated information.

5. *Completed Actions*—actions or reviews the agency has completed or withdrawn since publishing its last agenda. This section also includes items the agency began and completed between issues of the Agenda.

Long-Term Actions are rulemakings reported during the publication cycle that are outside of the required 12-month reporting period for which the Agenda was intended. Completed Actions in the publication cycle are rulemakings that are ending their lifecycle either by Withdrawal or completion of the rulemaking process. Therefore, the Long-Term and Completed RINs do not represent the ongoing, forward-looking nature intended for reporting developing rulemakings in the Agenda pursuant to Executive Order 12866, section 4(b) and 4(c). To further differentiate these two stages of rulemaking in the Unified Agenda from active rulemakings, Long-Term and Completed Actions are reported separately from active rulemakings, which can be any of the first three stages of rulemaking listed above. A separate search function is provided on *http://reginfo.gov* to search for Completed and Long-Term Actions apart from each other and active RINs.

A bullet (•) preceding the title of an entry indicates that the entry is appearing in the Unified Agenda for the first time.

In the printed edition, all entries are numbered sequentially from the beginning to the end of the publication. The sequence number preceding the title of each entry identifies the location of the entry in this edition. The sequence number is used as the reference in the printed table of contents. Sequence numbers are not used in the online Unified Agenda because the unique Regulation Identifier Number (RIN) is able to provide this cross-reference capability.

Editions of the Unified Agenda prior to fall 2007 contained several indexes, which identified entries with various characteristics. These included regulatory actions for which agencies believe that the Regulatory Flexibility Act may require a Regulatory Flexibility Analysis, actions selected for periodic review under section 610(c) of the Regulatory Flexibility Act, and actions that may have federalism implications as defined in Executive Order 13132 or other effects on levels of government. These indexes are no longer compiled, because users of the online Unified Agenda have the flexibility to search for entries with any combination of desired characteristics. The online edition retains the Unified Agenda's subject index based on the **Federal Register** Thesaurus of Indexing Terms. In addition, online users have the option of searching Agenda text fields for words or phrases.

IV. What information appears for each entry?

All entries in the online Unified Agenda contain uniform data elements including, at a minimum, the following information:

Title of the Regulation—a brief description of the subject of the regulation. In the printed edition, the notation ''Section 610 Review'' following the title indicates that the agency has selected the rule for its periodic review of existing rules under the Regulatory Flexibility Act (5 U.S.C. 610(c)). Some agencies have indicated completions of section 610 reviews or rulemaking actions resulting from completed section 610 reviews. In the online edition, these notations appear in a separate field.

Priority—an indication of the significance of the regulation. Agencies assign each entry to one of the following five categories of significance.

(1) Economically Significant

As defined in Executive Order 12866, a rulemaking action that will have an annual effect on the economy of $100 million or more or will 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. The definition of an ''economically significant'' rule is similar but not identical to the definition of a ''major'' rule under 5 U.S.C. 801 (Pub. L. 104–121). (See below.)

(2) Other Significant

A rulemaking that is not Economically Significant but is considered Significant by the agency. This category includes rules that the agency anticipates will be reviewed under Executive Order 12866 or rules that are a priority of the agency head. These rules may or may not be included in the agency's regulatory plan.

(3) Substantive, Nonsignificant

A rulemaking that has substantive impacts but is neither Significant, nor Routine and Frequent, nor Informational/Administrative/Other.

(4) Routine and Frequent

A rulemaking that is a specific case of a multiple recurring application of a regulatory program in the Code of Federal Regulations and that does not alter the body of the regulation.

(5) Informational/Administrative/Other

A rulemaking that is primarily informational or pertains to agency matters not central to accomplishing the agency's regulatory mandate but that the agency places in the Unified Agenda to inform the public of the activity.

Major—whether the rule is ''major'' under 5 U.S.C. 801 (Pub. L. 104–121) because it has resulted or is likely to result in an annual effect on the economy of $100 million or more or meets other criteria specified in that Act. The Act provides that the Administrator of the Office of Information and Regulatory Affairs will make the final determination as to whether a rule is major.

Unfunded Mandates—whether the rule is covered by section 202 of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4). The Act requires that, before issuing an NPRM likely to result in a mandate that may result in expenditures by State, local, and tribal governments, in the aggregate, or by the private sector of more than $100 million in 1 year, agencies, other than independent regulatory agencies, shall prepare a written statement containing an assessment of the anticipated costs and benefits of the Federal mandate.

Legal Authority—the section(s) of the United States Code (U.S.C.) or Public Law (Pub. L.) or the Executive order (E.O.) that authorize(s) the regulatory action. Agencies may provide popular name references to laws in addition to these citations.

CFR Citation—the section(s) of the Code of Federal Regulations that will be affected by the action.

Legal Deadline—whether the action is subject to a statutory or judicial deadline, the date of that deadline, and whether the deadline pertains to an NPRM, a Final Action, or some other action.

Abstract—a brief description of the problem the regulation will address; the need for a Federal solution; to the extent available, alternatives that the agency is considering to address the problem; and potential costs and benefits of the action.

Timetable—the dates and citations (if available) for all past steps and a projected date for at least the next step for the regulatory action. A date displayed in the form 06/00/14 means the agency is predicting the month and year the action will take place but not the day it will occur. In some instances, agencies may indicate what the next action will be, but the date of that action is ''To Be Determined.'' ''Next Action Undetermined'' indicates the agency does not know what action it will take next.

Regulatory Flexibility Analysis Required—whether an analysis is required by the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because the rulemaking action is likely to have a significant economic impact on a substantial number of small entities as defined by the Act.

Small Entities Affected—the types of small entities (businesses, governmental jurisdictions, or organizations) on which the rulemaking action is likely to have an impact as defined by the Regulatory Flexibility Act. Some agencies have chosen to indicate likely effects on small entities even though they believe that a Regulatory Flexibility Analysis will not be required.

Government Levels Affected—whether the action is expected to affect levels of government and, if so, whether the governments are State, local, tribal, or Federal.

International Impacts—whether the regulation is expected to have international trade and investment effects, or otherwise may be of interest to the Nation's international trading partners.

Federalism—whether the action has ''federalism implications'' as defined in Executive Order 13132. This term refers to actions ''that 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.'' Independent regulatory agencies are not required to supply this information.

Included in the Regulatory Plan—whether the rulemaking was included in the agency's current regulatory plan published in fall 2013.

Agency Contact—the name and phone number of at least one person in the agency who is knowledgeable about the rulemaking action. The agency may also provide the title, address, fax number, email address, and TDD for each agency contact.

Some agencies have provided the following optional information:

RIN Information URL—the Internet address of a site that provides more information about the entry.

Public Comment URL—the Internet address of a site that will accept public comments on the entry. Alternatively, timely public comments may be submitted at the government-wide e-rulemaking site, *http://www.regulations.gov.*

Additional Information—any information an agency wishes to include that does not have a specific corresponding data element.

Compliance Cost to the Public—the estimated gross compliance cost of the action.

Affected Sectors—the industrial sectors that the action may most affect, either directly or indirectly. Affected sectors are identified by North American Industry Classification System (NAICS) codes.

Energy Effects—an indication of whether the agency has prepared or plans to prepare a Statement of Energy Effects for the action, as required by Executive Order 13211 ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use,'' signed May 18, 2001 (66 FR 28355).

Related RINs—one or more past or current RIN(s) associated with activity related to this action, such as merged RINs, split RINs, new activity for previously completed RINs, or duplicate RINs.

Some agencies that participated in the fall 2014 edition of The Regulatory Plan have chosen to include the following information for those entries that appeared in the Plan:

Statement of Need—a description of the need for the regulatory action.

Summary of the Legal Basis—a description of the legal basis for the action, including whether any aspect of the action is required by statute or court order.

Alternatives—a description of the alternatives the agency has considered

or will consider as required by section 4(c)(1)(B) of Executive Order 12866.

Anticipated Costs and Benefits—a description of preliminary estimates of the anticipated costs and benefits of the action.

Risks—a description of the magnitude of the risk the action addresses, the amount by which the agency expects the action to reduce this risk, and the relation of the risk and this risk reduction effort to other risks and risk reduction efforts within the agency's jurisdiction.

V. Abbreviations

The following abbreviations appear throughout this publication:

ANPRM—An Advance Notice of Proposed Rulemaking is a preliminary notice, published in the **Federal Register**, announcing that an agency is considering a regulatory action. An agency may issue an ANPRM before it develops a detailed proposed rule. An ANPRM describes the general area that may be subject to regulation and usually asks for public comment on the issues and options being discussed. An ANPRM is issued only when an agency believes it needs to gather more information before proceeding to a notice of proposed rulemaking.

CFR—The Code of Federal Regulations is an annual codification of the general and permanent regulations published in the **Federal Register** by the agencies of the Federal Government. The Code is divided into 50 titles, each title covering a broad area subject to Federal regulation. The CFR is keyed to and kept up to date by the daily issues of the **Federal Register**.

E.O.—An Executive Order is a directive from the President to Executive agencies, issued under constitutional or statutory authority. Executive orders are published in the **Federal Register** and in title 3 of the Code of Federal Regulations.

FR—The **Federal Register** is a daily Federal Government publication that provides a uniform system for publishing Presidential documents, all proposed and final regulations, notices of meetings, and other official documents issued by Federal agencies.

FY—The Federal fiscal year runs from October 1 to September 30.

NPRM—A Notice of Proposed Rulemaking is the document an agency issues and publishes in the **Federal Register** that describes and solicits public comments on a proposed regulatory action. Under the Administrative Procedure Act (5 U.S.C. 553), an NPRM must include, at a minimum:

- a statement of the time, place, and nature of the public rulemaking proceeding;
- a reference to the legal authority under which the rule is proposed; and
- either the terms or substance of the proposed rule or a description of the subjects and issues involved.

Pub. L.—A public law is a law passed by Congress and signed by the President or enacted over his veto. It has general applicability, unlike a private law that applies only to those persons or entities specifically designated. Public laws are numbered in sequence throughout the 2-year life of each Congress; for example, Pub. L. 110–4 is the fourth public law of the 110th Congress.

RFA—A Regulatory Flexibility Analysis is a description and analysis of the impact of a rule on small entities, including small businesses, small governmental jurisdictions, and certain small not-for-profit organizations. The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires each agency to prepare an initial RFA for public comment when it is required to publish an NPRM and to make available a final RFA when the final rule is published, unless the agency head certifies that the rule would not have a significant economic impact on a substantial number of small entities.

RIN—The Regulation Identifier Number is assigned by the Regulatory Information Service Center to identify each regulatory action listed in the Unified Agenda, as directed by Executive Order 12866 (section 4(b)). Additionally, OMB has asked agencies to include RINs in the headings of their Rule and Proposed Rule documents when publishing them in the **Federal Register**, to make it easier for the public and agency officials to track the publication history of regulatory actions throughout their development.

Seq. No.—The sequence number identifies the location of an entry in the printed edition of the Unified Agenda. Note that a specific regulatory action will have the same RIN throughout its development but will generally have different sequence numbers if it appears in different printed editions of the Unified Agenda. Sequence numbers are not used in the online Unified Agenda.

U.S.C.—The United States Code is a consolidation and codification of all general and permanent laws of the United States. The U.S.C. is divided into 50 titles, each title covering a broad area of Federal law.

VI. How can users get copies of the Agenda?

Copies of the **Federal Register** issue containing the printed edition of the Unified Agenda (agency regulatory flexibility agendas) are available from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250–7954. Telephone: (202) 512–1800 or 1–866–512–1800 (toll-free).

Copies of individual agency materials may be available directly from the agency or may be found on the agency's Web site. Please contact the particular agency for further information.

All editions of *The Regulatory Plan* and the *Unified Agenda of Federal Regulatory and Deregulatory Actions* since fall 1995 are available in electronic form at *http://reginfo.gov,* along with flexible search tools.

The Government Printing Office's GPO FDsys Web site contains copies of the Agendas and Regulatory Plans that have been printed in the **Federal Register**. These documents are available at *http://www.fdsys.gov.*

Dated: May 23, 2014.

John C. Thomas,

Executive Director.

[FR Doc. 2015–14337 Filed 6–17–15; 8:45 am]

BILLING CODE 6820–27–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part III

Department of Agriculture

Unified Agenda

DEPARTMENT OF AGRICULTURE

Office of the Secretary

2 CFR Subtitle B, Ch. IV

5 CFR Ch. LXXIII

7 CFR Subtitle A; Subtitle B, Chs. I–XI, XIV–XVIII, XX, XXV–XXXVIII, XLII

9 CFR Chs. I–III

36 CFR Ch. II

48 CFR Ch. 4

Semiannual regulatory Agenda, Spring 2015

AGENCY: Office of the Secretary, USDA.

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda provides summary descriptions of significant and not significant regulations being developed in agencies of the U.S. Department of Agriculture (USDA) in conformance with Executive Orders (E.O.) 12866 ''Regulatory Planning and Review,'' and 13563 ''Improving Regulation and Regulatory Review.'' The agenda also describes regulations affecting small entities as required by section 602 of the Regulatory Flexibility Act, Public Law 96–354. This agenda also identifies regulatory actions that are being reviewed in compliance with section 610(c) of the Regulatory Flexibility Act. We invite public comment on those actions as well as any regulation consistent with E.O. 13563.

USDA has attempted to list all regulations and regulatory reviews pending at the time of publication except for minor and routine or repetitive actions, but some may have been inadvertently missed. There is no legal significance to the omission of an item from this listing. Also, the dates shown for the steps of each action are estimated and are not commitments to act on or by the date shown.

USDA's complete regulatory agenda is available online at *www.reginfo.gov*. Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), USDA's printed agenda entries include only:

(1) Rules that are likely to have a significant economic impact on a substantial number of small entities; and

(2) Rules identified for periodic review under section 610 of the Regulatory Flexibility Act.

FOR FURTHER INFORMATION CONTACT: For further information on any specific entry shown in this agenda, please contact the person listed for that action. For general comments or inquiries about the agenda, please contact Michael Poe, Office of Budget and Program Analysis, U.S. Department of Agriculture, Washington, DC 20250, (202) 720–3257.

Dated: March 24, 2015.

Michael Poe,

Chief, Legislative and Regulatory Staff.

AGRICULTURAL MARKETING SERVICE—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
1	National Organic Program, Origin of Livestock, NOP–11–0009	0581–AD08
2	National Organic Program, Organic Pet Food Standards	0581–AD20
3	National Organic Program, Organic Apiculture Practice Standard, NOP–12–0063	0581–AD31
4	National Organic Program—Organic Aquaculture Standards	0581–AD34

ANIMAL AND PLANT HEALTH INSPECTION SERVICE—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
5	Scrapie in Sheep and Goats	0579–AC92
6	Plant Pest Regulations; Update of General Provisions	0579–AC98
7	Bovine Spongiform Encephalopathy and Scrapie; Importation of Small Ruminants and Their Germplasm, Products, and Byproducts.	0579–AD10
8	Brucellosis and Bovine Tuberculosis; Update of General Provisions	0579–AD65

ANIMAL AND PLANT HEALTH INSPECTION SERVICE—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
9	Importation of Wood Packaging Material From Canada	0579–AD28
10	Importation of Beef From a Region in Brazil	0579–AD41
11	Treatment of Firewood and Spruce Logs Imported From Canada	0579–AD60
12	Viruses, Serums, Toxins, and Analogous Products; Single Label Claim for Veterinary Biological Products	0579–AD64
13	Establishing a Performance Standard for Authorizing the Importation and Interstate Movement of Fruits and Vegetables.	0579–AD71
14	User Fees for Agricultural Quarantine and Inspection Services	0579–AD77
15	Importation of Beef From a Region in Argentina **(Section 610 Review)**	0579–AD92

ANIMAL AND PLANT HEALTH INSPECTION SERVICE—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
16	Introduction of Organisms and Products Altered or Produced Through Genetic Engineering	0579–AC31

RURAL HOUSING SERVICE—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
17	Guaranteed Single-Family Housing	0575–AC18

FOOD AND NUTRITION SERVICE—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
18	Child and Adult Care Food Program: Meal Pattern Revisions Related to the Healthy, Hunger-Free Kids Act of 2010.	0584–AE18
19	Modernizing Supplemental Nutrition Assistance Program (SNAP) Benefit Redemption Systems	0584–AE37
20	Supplemental Nutrition Assistance Program (SNAP): Electronic Benefits Transfer Requirements for Scanning and Product-Lookup Technology.	0584–AE39
21	Food and Nutrition Service Regulatory Implementation of Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.	0584–AE42

FOOD AND NUTRITION SERVICE—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
22	National School Lunch and School Breakfast Programs: Nutrition Standards for All Foods Sold in School, as Required by the Healthy, Hunger-Free Kids Act of 2010.	0584–AE09
23	National School Lunch and School Breakfast Programs: School Food Service Account Revenue Amendments Related to the Healthy, Hunger-Free Kids Act of 2010.	0584–AE11
24	Child Nutrition Programs: Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010.	0584–AE25

FOOD SAFETY AND INSPECTION SERVICE—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
25	Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish	0583–AD36

FOREST SERVICE—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
26	Management of Surface Activities Associated With Outstanding Mineral Rights on National Forest System Lands.	0596–AD03

FOREST SERVICE—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
27	Ski Area—D Clauses: Resource and Improvement Protection, Water Facilities, and Water Rights	0596–AD14

DEPARTMENT OF AGRICULTURE (USDA)

Agricultural Marketing Service (AMS)

Proposed Rule Stage

1. National Organic Program, Origin of Livestock, NOP–11–0009

Legal Authority: 7 U.S.C. 6501

Abstract: The current regulations provide two tracks for replacing dairy animals which are tied to how dairy farmers transition to organic production. Farmers who transition an entire distinct herd must thereafter replace dairy animals with livestock that has been under organic management from the last third of gestation. Farmers who do not transition an entire distinct herd may perpetually obtain replacement animals that have been managed organically for 12 months prior to marketing milk or milk products as organic. The proposed action would eliminate the two-track system and require that upon transition, all existing and replacement dairy animals from which milk or milk products are intended to be sold, labeled, or represented as organic must be managed organically from the last third of gestation.

Timetable:

Action	Date	FR Cite
NPRM	04/28/15	80 FR 23455
NPRM Comment Period End.	07/27/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Miles McEvoy, Deputy Administrator, USDA National Organic Program, Department of Agriculture, Agricultural Marketing Service, Washington, DC 20250, *Phone:* 202 720–3252.

RIN: 0581–AD08

2. National Organic Program, Organic Pet Food Standards

Legal Authority: 7 U.S.C. 6501

Abstract: The National Organic Program (NOP) is establishing national standards governing the marketing of organically produced agricultural products. In 2004, the National Organic Standards Board (NOSB) initiated the development of organic pet food standards, which had not been incorporated into the NOP regulations, by forming a task force which included pet food manufacturers, organic consultants, etc. Collectively, these experts drafted organic pet food standards consistent with the Organic Foods Production Act of 1990, Food and Drug Administration requirements, and the Association of American Feed Control Officials (AAFCO) Model Regulations for Pet and Specialty Pet Food. The AAFCO regulations are scientifically based regulations for voluntary adoption by State jurisdictions to ensure the safety, quality, and effectiveness of feed. In November 2008, the NOSB approved a final recommendation for organic pet food standards incorporating the provisions drafted by the pet food task force.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Miles McEvoy, Deputy Administrator, USDA National Organic Program, Department of Agriculture, Agricultural Marketing Service, Washington, DC 20250, *Phone:* 202 720–3252

RIN: 0581–AD20

3. National Organic Program, Organic Apiculture Practice Standard, NOP–12–0063

Legal Authority: 7 U.S.C. 6501

Abstract: This action proposes to amend the USDA organic regulations to reflect an October 2010 recommendation submitted to the Secretary by the National Organic Standards Board (NOSB) concerning the production of organic apicultural (or beekeeping) products. Instead of continuing to allow certifying agents to certify apiculture to the organic livestock standards, this action would establish certification standards specifically for organic bees and bee products.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Miles McEvoy, Deputy Administrator, USDA National Organic Program, Department of Agriculture, Agricultural Marketing Service, Washington, DC 20250, *Phone:* 202 720–3252.

RIN: 0581–AD31

4. National Organic Program—Organic Aquaculture Standards

Legal Authority: 7 U.S.C. 6501 to 6522

Abstract: This action proposes to establish standards for organic production and certification of farmed aquatic animals and their products in the USDA organic regulations. This action would also add aquatic animals as a scope of certification and accreditation under the National Organic Program. This action is necessary to establish standards for organic farmed aquatic animals and their products which would allow U.S. producers to compete in the organic seafood market. This action is also necessary to address multiple recommendations provided by USDA by the National Organic Standards Board (NOSB). In 2007 through 2009, the NOSB made five recommendations to establish standards for the certification of organic farmed aquatic animals and their products. Finally, the U.S. currently has organic standards equivalence arrangements with Canada and the European Union (EU). Both Canada and the EU have recently established standards for organic aquaculture products. Because the U.S. does not have organic aquaculture standards, the U.S. is unable to include aquaculture in the scope of these arrangements. Establishing U.S. organic aquaculture may provide a basis for expanding those trade partnerships.

Timetable:

Action	Date	FR Cite
NPRM	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Miles McEvoy, Deputy Administrator, USDA National Organic Program, Department of Agriculture, Agricultural Marketing Service, Washington, DC 20250, *Phone:* 202 720–3252.

RIN: 0581–AD34

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE (USDA)

Animal and Plant Health Inspection Service (APHIS)

Proposed Rule Stage

5. Scrapie in Sheep and Goats

Legal Authority: 7 U.S.C. 8301 to 8317

Abstract: This rulemaking would amend the scrapie regulations by changing the risk groups and categories established for individual animals and for flocks. It would simplify, reduce, or remove certain recordkeeping requirements. This action would provide designated scrapie epidemiologists with more alternatives and flexibility when testing animals in order to determine flock designations under the regulations. It would also make the identification and recordkeeping requirements for goat owners consistent with those for sheep owners. These changes would affect sheep and goat producers and State governments.

Timetable:

Action	Date	FR Cite
NPRM	05/00/15	
NPRM Comment Period End.	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Diane Sutton, Sheep, Goat, Cervid, and Equine Health Center; Surveillance, Preparedness, and Response Services, VS, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 43, Riverdale, MD 20737–1235, *Phone:* 301 851–3509.

RIN: 0579–AC92

6. Plant Pest Regulations; Update of General Provisions

Legal Authority: 7 U.S.C. 450; 7 U.S.C. 2260; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 7 U.S.C. 8301 to 8817; 19 U.S.C. 136; 21 U.S.C. 111; 21 U.S.C. 114a; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332

Abstract: We are proposing to revise our regulations regarding the movement of plant pests. We are proposing criteria regarding the movement and environmental release of biological control organisms, and are proposing to establish regulations to allow the importation and movement in interstate

commerce of certain types of plant pests without restriction by granting exceptions from permitting requirements for those pests. We are also proposing to revise our regulations regarding the movement of soil. This proposed rule replaces a previously published proposed rule, which we are withdrawing as part of this document. This proposal would clarify the factors that would be considered when assessing the risks associated with the movement of certain organisms and facilitate the movement of regulated organisms and articles in a manner that also protects U.S. agriculture.

Timetable:

Action	Date	FR Cite
Notice of Intent To Prepare an Environmental Impact Statement.	10/20/09	74 FR 53673
Notice Comment Period End.	11/19/09	
NPRM	06/00/15	
NPRM Comment Period End.	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Shirley Wager–Page, Chief, Pest Permitting Branch, Plant Health Programs, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 131, Riverdale, MD 20737–1236, *Phone:* 301 851–2323.

RIN: 0579–AC98

7. Bovine Spongiform Encephalopathy and Scrapie; Importation of Small Ruminants and Their Germplasm, Products, and Byproducts

Legal Authority: 7 U.S.C. 450; 7 U.S.C. 1622; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 7 U.S.C. 8301 to 8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701

Abstract: This rulemaking would amend the bovine spongiform encephalopathy (BSE) and scrapie regulations regarding the importation of live sheep, goats, and wild ruminants and their embryos, semen, products, and byproducts. The proposed scrapie revisions regarding the importation of sheep, goats, and susceptible wild ruminants for other than immediate slaughter are similar to those recommended by the World Organization for Animal Health in restricting the importation of such animals to those from scrapie-free regions or certified scrapie-free flocks.

Timetable:

Action	Date	FR Cite
NPRM	08/00/15	
NPRM Comment Period End.	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Langston Hull, Senior Staff Veterinary Medical Officer, Animal Permitting and Negotiating Services, VS, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 39, Riverdale, MD 20737–1231, *Phone:* 301 851–3300.

RIN: 0579–AD10

8. Brucellosis and Bovine Tuberculosis; Update of General Provisions

Legal Authority: 7 U.S.C. 1622; 7 U.S.C. 8301 to 8317; 15 U.S.C. 1828; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701

Abstract: This rulemaking would consolidate the regulations governing bovine tuberculosis (TB), currently found in 9 CFR part 77, and those governing brucellosis, currently found in 9 CFR part 78. As part of this consolidation, we are proposing to transition the TB and brucellosis programs away from a State status system based on disease prevalence. Instead, States and tribes would implement an animal health plan that identifies sources of the diseases within the State or tribe and specifies mitigations to address the risk posed by these sources. The consolidated regulations also would set forth standards for surveillance, epidemiological investigations, and affected herd management that must be incorporated into each animal health plan, with certain limited exceptions; conditions for the interstate movement of cattle, bison, and captive cervids; and conditions for APHIS approval of tests for bovine TB or brucellosis. Finally, the rulemaking would revise the import requirements for cattle and bison to make these requirements clearer and ensure that they more effectively mitigate the risk of introduction of the diseases into the United States.

Timetable:

Action	Date	FR Cite
NPRM	05/00/15	
NPRM Comment Period End.	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Langston Hull, Senior Staff Veterinary Medical Officer, Animal Permitting and Negotiating Services, VS, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 39, Riverdale, MD 20737–1231, *Phone:* 301 851–3300.

C. William Hench, Senior Cattle Health Specialist, Cattle Health Center, Surveillance, Preparedness, and Response, VS, Department of Agriculture, Animal and Plant Health Inspection Service, 2150 Centre Avenue, Building B–3E20, Ft. Collins, CO 80526. *Phone:* 970 494–7378.

RIN: 0579–AD65

DEPARTMENT OF AGRICULTURE (USDA)

Animal and Plant Health Inspection Service (APHIS)

Final Rule Stage

9. Importation of Wood Packaging Material From Canada

Legal Authority: 7 U.S.C. 450; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 21 U.S.C. 136 and 136a

Abstract: This rulemaking will amend the regulations for the importation of unmanufactured wood articles to remove the exemption that allows wood packaging material from Canada to enter the United States without first meeting the treatment and marking requirements of the regulations that apply to wood packaging material from all other countries. This action is necessary in order to prevent the dissemination and spread of pests via wood packaging material from Canada.

Timetable:

Action	Date	FR Cite
NPRM	12/02/10	75 FR 75157
NPRM Comment Period End.	01/31/11	
Final Rule	05/00/15	
Final Rule Effective.	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John Tyrone Jones, Trade Director, Forestry Products, Phytosanitary Issues Management, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 140, Riverdale, MD 20737–1231, *Phone:* 301 851–2344.

RIN: 0579–AD28

10. Importation of Beef From a Region in Brazil

Legal Authority: 7 U.S.C. 450; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 7 U.S.C. 8301 to 8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701

Abstract: This rulemaking will amend the regulations governing the importation of certain animals, meat,

and other animal products by allowing, under certain conditions, the importation of fresh (chilled or frozen) beef from a region in Brazil (the States of Bahia, Distrito Federal, Espirito Santo, Goias, Mato Grosso, Mato Grosso do Sul, Minas Gerais, Parana, Rio Grande do Sul, Rio de Janeiro, Rondonia, Sao Paulo, Sergipe, and Tocantis). Based on the evidence in a recent risk assessment, we have determined that fresh (chilled or frozen) beef can be safely imported from those Brazilian States, provided certain conditions are met. This action will provide for the importation of beef from the designated region in Brazil into the United States while continuing to protect the United States against the introduction of foot-and-mouth disease.

Timetable:

Action	Date	FR Cite
NPRM	12/23/13	78 FR 77370
NPRM Comment Period End.	02/21/14	
Final Rule	05/00/15	
Final Rule Effective.	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dr. Silvia Kreindel, Senior Staff Veterinarian, Regionalization Evaluation Services Staff, NIES, VS, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 38, Riverdale, MD 20737–1231, *Phone:* 301 851–3313.

RIN: 0579–AD41

11. Treatment of Firewood and Spruce Logs Imported From Canada

Legal Authority: 7 U.S.C. 450; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 21 U.S.C. 136 and 136a

Abstract: This rulemaking will amend the regulations to require firewood of all species imported from Canada, including treated lumber (furniture scraps) sold as kindling, and all spruce logs imported from Nova Scotia to be heat-treated and to be accompanied by either a certificate of treatment or an attached commercial treatment label. This action is necessary on an immediate basis to prevent the artificial spread of pests, including emerald ash borer, Asian longhorned beetle, gypsy moth, European spruce bark beetle, and brown spruce longhorn beetle to noninfested areas of the United States, and to prevent further introduction of these pests into the United States.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/15	
Interim Final Rule Comment Period End.	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John Tyrone Jones, Trade Director, Forestry Products, Phytosanitary Issues Management, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 140, Riverdale, MD 20737–1231. *Phone:* 301 851–2344.

RIN: 0579–AD60

12. Viruses, Serums, Toxins, and Analogous Products; Single Label Claim for Veterinary Biological Products

Legal Authority: 21 U.S.C. 151 to 159

Abstract: This rulemaking will amend the Virus-Serum-Toxin Act regulations to replace the current label format, which reflects any of four different levels of effectiveness, with a single, uniform label format. It also will require biologics licensees to provide a standardized summary, with confidential business information removed, of the efficacy and safety data submitted to the Animal and Plant Health Inspection Service in support of the issuance of a full product license or conditional license. A single label format, along with publicly available safety and efficacy data, will help biologics producers to more clearly communicate product performance to their customers.

Timetable:

Action	Date	FR Cite
Notice	05/24/11	76 FR 30093
Comment Period End.	07/25/11	
NPRM	04/21/14	79 FR 22048
NPRM Comment Period End.	06/20/14	
Final Rule	05/00/15	
Final Rule Effective.	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Donna L Malloy, Operational Support Section, Center for Veterinary Biologics, Policy, Evaluation, and Licensing, VS, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 148, Riverdale, MD 20737–1231, *Phone:* 301 851–3426.

RIN: 0579–AD64

13. Establishing a Performance Standard for Authorizing the Importation and Interstate Movement of Fruits and Vegetables

Legal Authority: 7 U.S.C. 450; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 21 U.S.C. 136 and 136a

Abstract: This rulemaking would amend our regulations governing the importations of fruits and vegetables by broadening our existing performance standard to provide for consideration of all new fruits and vegetables for importation into the United States using a notice-based process. Rather than authorizing new imports through proposed and final rules and specifying import conditions in the regulations, the notice-based process uses **Federal Register** notices to make risk analyses available to the public for review and comment, with authorized commodities and their conditions of entry subsequently being listed on the Internet. It also would remove the region- or commodity-specific phytosanitary requirements currently found in these regulations. Likewise, we are proposing an equivalent revision of the performance standard in our regulations governing the interstate movements of fruits and vegetables from Hawaii and the U.S. territories (Guam, Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands) and the removal of commodity-specific phytosanitary requirements from those regulations. This proposal would allow for the consideration of requests to authorize the importation or interstate movement of new fruits and vegetables in a manner that enables a more flexible and responsive regulatory approach to evolving pest situations in both the United States and exporting countries. It would not, however, alter the science-based process in which the risk associated with importation or interstate movement of a given fruit or vegetable is evaluated or the manner in which risks associated with the importation or interstate movement of a fruit or vegetable are mitigated.

Timetable:

Action	Date	FR Cite
NPRM	09/09/14	79 FR 53346
NPRM Comment Period End.	11/10/14	
NPRM Comment Period Reopened.	12/04/14	79 FR 71973
NPRM Comment Period End.	01/09/15	
NPRM Comment Period Reopened.	02/06/15	80 FR 6665
NPRM Comment Period End.	03/10/15	

Action	Date	FR Cite
Final Rule	05/00/15	
Final Rule Effective.	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Nicole Russo, Assistant Director, Regulatory Coordination and Compliance, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 133, Riverdale, MD 20737–1236, *Phone:* 301 851–2159.

RIN: 0579–AD71

14. User Fees for Agricultural Quarantine and Inspection Services

Legal Authority: 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 7 U.S.C. 8301 to 8317; 21 U.S.C. 136 and 136a; 49 U.S.C. 80503

Abstract: This rulemaking will amend the user fee regulations by adding new fee categories and adjusting current fees charged for certain agricultural quarantine and inspection services that are provided in connection with certain commercial vessels, commercial trucks, commercial railroad cars, commercial aircraft, and international passengers arriving at ports in the customs territory of the United States. It also will adjust the fee caps associated with commercial vessels, commercial trucks, and commercial railcars. Based on the conclusions of a third party assessment of the user fee program and on other considerations, we have determined that revised user fee categories and revised user fees are necessary to recover the costs of the current level of activity, to account for actual and projected increases in the cost of doing business, and to more accurately align fees with the costs associated with each fee service.

Timetable:

Action	Date	FR Cite
NPRM	04/25/14	79 FR 22895
NPRM Comment Period End.	06/24/14	
NPRM Comment Period Reopened.	07/01/14	79 FR 37231
NPRM Comment Period Reopened End.	07/24/14	
Final Rule	05/00/15	
Final Rule Effective.	07/00/15	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: William E Thomas, Senior Agriculturist, Office of the Deputy Administrator, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 130, Riverdale, MD 20737, *Phone:* 301 851–2306.

Kris Caraher, Branch Chief, Review and Analysis, Financial Management Division, MRPBS, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 55, Riverdale, MD 20737, *Phone:* 301 851–2384.

RIN: 0579–AD77

15. • Importation of Beef From a Region in Argentina (Section 610 Review)

Legal Authority: 7 U.S.C. 450; 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 7 U.S.C. 8301 to 8317; 21 U.S.C. 136 abd 136a; 31 U.S.C. 9701

Abstract: This rulemaking will amend the regulations governing the importation of certain animals, meat, and other animal products to allow, under certain conditions, the importation of fresh (chilled or frozen) beef from a region in Argentina located north of Patagonia South and Patagonia North B, referred to as Northern Argentina. Based on the evidence in a recent risk analysis, we have determined that fresh (chilled or frozen) beef can be safely imported from Northern Argentina, subject to certain conditions. This action provides for the importation of beef from Northern Argentina into the United States, while continuing to protect the United States against the introduction of foot-and-mouth disease.

Timetable:

Action	Date	FR Cite
NPRM	08/29/14	79 FR 64687
NPRM Comment Period End.	10/28/14	
NPRM Comment Period Reopened.	10/31/14	
NPRM Comment Period Reopened End.	12/29/14	
Final Rule	05/00/15	
Final Rule Effective.	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dr. Silvia Kreindel, Senior Staff Veterinarian, Regionalization Evaluation Services Staff, NIES, VS, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 38, Riverdale, MD 20737–1231, *Phone:* 301 851–3313.

RIN: 0579–AD92

DEPARTMENT OF AGRICULTURE (USDA)

Animal and Plant Health Inspection Service (APHIS)

Long-Term Actions

16. Introduction of Organisms and Products Altered or Produced Through Genetic Engineering

Legal Authority: 7 U.S.C. 7701 to 7772; 7 U.S.C. 7781 to 7786; 31 U.S.C. 9701

Abstract: We are withdrawing a proposed rule that would have amended the regulations regarding the introduction (importation, interstate movement, and environmental release (field testing)) of certain genetically engineered organisms. We are doing this because of the experience we have gained over the past 28 years, continuing advances in biotechnology, and comments we received on the rule. We will begin a fresh stakeholder engagement to explore alternative policy approaches. This engagement will begin with a series of webinars that will provide the stakeholder community an opportunity to provide initial feedback. Information on these webinars will be announced in the coming month.

Timetable:

Action	Date	FR Cite
Notice of Intent to Prepare an Environmental Impact Statement.	01/23/04	69 FR 3271
Comment Period End.	03/23/04	
Notice of Availability of Draft Environmental Impact Statement.	07/17/07	72 FR 39021
Comment Period End.	09/11/07	
NPRM	10/09/08	73 FR 60007
NPRM Comment Period End.	11/24/08	
Correction	11/10/08	73 FR 66563
NPRM Comment Period Reopened.	01/16/09	74 FR 2907
NPRM Comment Period End.	03/17/09	
NPRM; Notice of Public Scoping Session.	03/11/09	74 FR 10517
NPRM Comment Period Reopened.	04/13/09	74 FR 16797
NPRM Comment Period End.	06/29/09	
NPRM; Withdrawal.	03/04/15	80 FR 11598
NPRM; Withdrawal Effective.	03/04/15	80 FR 11598
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Chessa Huff–Woodard, *Phone:* 301 851–3943.

RIN: 0579–AC31.

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE (USDA)

Rural Housing Service (RHS)

Completed Actions

17. Guaranteed Single-Family Housing

Legal Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 42 U.S.C. 1480

Abstract: The Guaranteed Single-Family Housing Loan Program interim final rule encourages new residential construction in rural areas. The new rule provides for a ''construction-to-permanent financing'' process. Lenders will be able to obtain a loan note guarantee when construction commences, in a ''single close'' transaction, rather than first obtaining short-term construction financing and then later obtaining the guaranteed loan. The new rule streamlines the financing of building new homes. The interim final rule also expands the types of lenders who are eligible to participate, increasing the reach of the program to small community banks in remote areas and to credit unions with memberships who are teachers as well as other groups. The rule change will allow participation by any lending entity supervised and regulated by the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Office of the Comptroller of the Currency, the Federal Reserve Banks, or the Federal Housing Finance Board. Currently, these entities may not be eligible lenders.

Completed:

Reason	Date	FR Cite
Interim Final Rule	12/09/13	78 FR 73927
Interim Final Rule Effective.	12/01/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Joaquin Tremols, *Phone:* 202 720–1465, Fax: 202 205–2476, *Email: joaquin.tremols@wdc.usda.gov*.

RIN: 0575–AC18

BILLING CODE 3410–XV–P

DEPARTMENT OF AGRICULTURE (USDA)

Food and Nutrition Service (FNS)

Proposed Rule Stage

18. Child and Adult Care Food Program: Meal Pattern Revisions Related to the Healthy, Hunger-Free Kids Act of 2010

Legal Authority: Pub. L. 111–296

Abstract: This final rule will implement section 221 of the Healthy, Hunger-Free Kids Act of 2010 (Pub. L. 111–296; the Act). It requires USDA to review and update, no less frequently than once every 10 years, requirements for meals served under the Child and Adult Care Food Program (CACFP) to ensure those meals are consistent with the most recent Dietary Guidelines for Americans and relevant nutrition science.

Timetable:

Action	Date	FR Cite
NPRM	01/15/15	80 FR 2037
NPRM Comment Period End.	04/15/15	
NPRM Comment Period Extended.	04/27/15	80 FR 23243
NPRM Comment Period Extended End.	05/27/15	
Final Action	01/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James F. Herbert, Regulatory Review Specialist, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 305–2572, *Email: james.herbert@fns.usda.gov*.

Lynnette M. Thomas, Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 605–4782, *Email: lynnette.thomas@fns.usda.gov.*

RIN: 0584–AE18

19. • Modernizing Supplemental Nutrition Assistance Program (SNAP) Benefit Redemption Systems

Legal Authority: Pub. L. 113–79

Abstract: The Agricultural Act of 2014 (Pub. L. 113–79, the Farm Bill) amended the Food and Nutrition Act of 2008 (the FNA) to include new requirements regarding the acceptance and processing of SNAP client benefits by all non-exempt retailers participating in SNAP. Statutory changes will modernize EBT systems and ensure greater program integrity. The Food and Nutrition Service (FNS) also plans to revise certain SNAP regulations for which multiple State agencies have sought and received approval of waivers. The revisions will streamline program administration, offer greater flexibility to State agencies, and improve customer service.

Timetable:

Action	Date	FR Cite
NPRM	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Charles H Watford, Regulatory Review Specialist, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 605–0800, *Email: charles.watford@fns.usda.gov.*

Lynnette M. Thomas, Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 605–4782, *Email: lynnette.thomas@fns.usda.gov.*

RIN: 0584–AE37

20. • Supplemental Nutrition Assistance Program (SNAP): Electronic Benefits Transfer Requirements for Scanning and Product-Lookup Technology

Legal Authority: Pub. L. 113–79

Abstract: This rule will align program regulations with changes made by section 4002 of the Agricultural Act of 2014 (Pub. L. 113–79, the Farm Bill), which introduces new technical requirements for point-of-sale (POS) devices in the Electronic Benefits Transfer (EBT) system in section 7(h)(2)(C) of the Food and Nutrition Act of 2008 (the FNA). The Food and Nutrition Service (FNS) will propose to revise existing regulations both to codify these statutory requirements as well as to provide for their effective implementation and enforcement through the clarification of the technical specifications and capabilities required of this equipment and by addressing methods for ensuring compliance. In addition, the Department will define what constitutes an area that has significantly limited access to food to determine who is exempt from this requirement.

Timetable:

Action	Date	FR Cite
NPRM	01/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Charles H Watford, Regulatory Review Specialist, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 605–0800, *Email: charles.watford@fns.usda.gov.*

Lynnette M. Thomas, Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 605–4782, *Email: lynnette.thomas@fns.usda.gov.*

RIN: 0584–AE39

21. • Food and Nutrition Service Regulatory Implementation of Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

Legal Authority: OMB Guidance, ''Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards''

Abstract: This proposed regulation will implement the final guidance Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards published by the Office of Management and Budget (OMB) on December 26, 2013. USDA implementation of the guidance will occur in December 2014 with the OMB joint interim final rule. This FNS rule will update references to the OMB final guidance throughout the FNS rules.

Timetable:

Action	Date	FR Cite
NPRM	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James F. Herbert, Regulatory Review Specialist, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 305–2572, *Email: james.herbert@fns.usda.gov.*

Lynnette M. Thomas, Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 605–4782, *Email: lynnette.thomas@fns.usda.gov.*

RIN: 0584–AE42

DEPARTMENT OF AGRICULTURE (USDA)

Food and Nutrition Service (FNS)

Final Rule Stage

22. National School Lunch and School Breakfast Programs: Nutrition Standards for all Foods Sold in School, as Required by the Healthy, Hunger-Free Kids Act of 2010

Legal Authority: Pub. L. 111–296

Abstract: This rule codifies the two provisions of the Healthy, Hunger-Free Kids Act (Pub. L. 111–296; the Act) under 7 CFR parts 210 and 220. Section 203 requires schools participating in the National School Lunch Program to make available to children free of charge, as nutritionally appropriate, potable water for consumption in the place where meals are served during meal service. Section 208 requires the Secretary to promulgate regulations to establish science-based nutrition standards for all foods sold in schools. The nutrition standards apply to all food sold outside the school meal programs, on the school campus, and at any time during the school day.

Timetable:

Action	Date	FR Cite
NPRM	02/08/13	78 FR 9530
NPRM Comment Period End.	04/09/13	
Interim Final Rule	06/28/13	78 FR 39067
Interim Final Rule Effective.	08/27/13	
Interim Final Rule Comment Period End.	10/28/13	
Final Action	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James F. Herbert, Regulatory Review Specialist, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 305–2572, *Email: james.herbert@fns.usda.gov.*

Lynnette M. Thomas, Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 605–4782, *Email: lynnette.thomas@fns.usda.gov.*

RIN: 0584–AE09

23. National School Lunch and School Breakfast Programs: School Food Service Account Revenue Amendments Related to the Healthy, Hunger-Free Kids Act of 2010

Legal Authority: Pub. L. 111–296

Abstract: This rule amends National School Lunch Program (NSLP) regulations to conform to requirements contained in the Healthy, Hunger-Free Kids Act of 2010 regarding equity in school lunch pricing and revenue from non-program foods sold in schools. This rule requires school food authorities (SFAs) participating in the NSLP to provide the same level of financial support for lunches served to students who are not eligible for free or reduced price lunches as is provided for lunches served to students eligible for free lunches. This rule also requires that all food sold in a school and purchased with funds from the nonprofit school food service account other than meals and supplements reimbursed by the Department of Agriculture must generate revenue at least proportionate to the cost of such foods.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/17/11	76 FR 35301
Interim Final Rule Effective.	07/01/11	
Interim Final Rule Comment Period End.	09/15/11	
Final Action	03/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James F. Herbert, Regulatory Review Specialist, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 305–2572, *Email: james.herbert@fns.usda.gov.*

Lynnette M. Thomas, Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 605–4782, *Email: lynnette.thomas@fns.usda.gov.*

RIN: 0584–AE11

24. Child Nutrition Programs: Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010

Legal Authority: Pub. L. 111–296

Abstract: This final rule codifies a provision of the Healthy, Hunger-Free Kids Act (Pub. L. 111–296; the Act) under 7 CFR parts 210 and 220. Section 204 of the Act requires each local educational agency (LEA) to establish, for all schools under its jurisdiction, a local school wellness policy. The Act requires that the wellness policy include goals for nutrition, nutrition education, physical activity, and other school-based activities that promote student wellness. In addition, the Act requires that local educational agencies ensure stakeholder participation in

development of their local school wellness policies, and periodically assess compliance with the policies, and disclose information about the policies to the public.

Timetable:

Action	Date	FR Cite
NPRM	02/26/14	79 FR 10693
NPRM Comment Period End.	04/28/14	
Final Action	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James F. Herbert, Regulatory Review Specialist, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 305–2572, *Email: james.herbert@fns.usda.gov*.

Lynnette M. Thomas, Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, Food and Nutrition Service, 3101 Park Center Drive, Alexandria, VA 22302, *Phone:* 703 605–4782, *Email: lynnette.thomas@fns.usda.gov.*

RIN: 0584–AE25

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE (USDA)

Food Safety and Inspection Service (FSIS)

Final Rule Stage

25. Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish

Legal Authority: Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 to 695); Pub. L. 110–246, sec 11016; Pub. L. 113–79, sec 12106

Abstract: The 2008 Farm Bill (Pub. L. 110–246, sec. 11016), amended the Federal Meat Inspection Act (FMIA) to make ''catfish'' a species amenable to the FMIA and, therefore, subject to FSIS inspection. In addition, the 2008 Farm Bill gave FSIS the authority to define the term ''catfish.'' On February 24, 2011, FSIS published a proposed rule that outlined a mandatory catfish inspection program and presented two options for defining ''catfish.'' The 2014 Farm Bill (Pub. L. 113–79, sec. 12106), amended the FMIA to remove the term ''catfish'' and to make ''all fish of the order Siluriformes'' subject to FSIS jurisdiction and inspection. As a result, FSIS inspection of Siluriformes is mandated by law and non-discretionary.

Timetable:

Action	Date	FR Cite
NPRM	02/24/11	76 FR 10434
NPRM Comment Period End.	06/24/11	
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Dr. Daniel L Engeljohn, Assistant Administrator, Office of Policy and Program Development, Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW., 349–E JWB, Washington, DC 20250, *Phone:* 202 205–0495, Fax: 202 720–2025, *Email: daniel.engeljohn@fsis.usda.gov.*

RIN: 0583–AD36.

BILLING CODE 3410–DM–P

DEPARTMENT OF AGRICULTURE (USDA)

Forest Service (FS)

Proposed Rule Stage

26. Management of Surface Activities Associated With Outstanding Mineral Rights on National Forest System Lands

Legal Authority: EPA 1992

Abstract: Close to 11,000,000 acres (approximately 6 percent) of National Forest System (NFS) lands overlie severed (split) mineral estates owned by a party other than the Federal Government. More than 75 percent of these lands are in the Eastern Region (Forest Service Regions 8 and 9). There are two kinds of severed mineral estates, generally known as ''private rights'': reserved and outstanding. Reserved mineral rights are those retained by a grantor in a deed conveying land to the United States. Outstanding mineral rights are those owned by a party other than the surface owner at the time the surface was conveyed to the United States. Because these are non-Federal mineral interests, the U.S. Department of Interior's Bureau of Land Management has no authority for or role in managing development activities associated with such interests. States have the authority and responsibility for regulating development of the private mineral estate.

Various Secretary's Rules and Regulations (years of 1911, 1937, 1938, 1939, 1947, 1950, and 1963) and Forest Service regulations at 36 CFR 251.15 provide direction for the use of NFS lands for mineral development activities associated with the exercise of reserved mineral rights. These existing rules for reserved minerals development activities also include requirements for protection of NFS resources.

Currently, there are no formal regulations governing the use of NFS lands for activities associated with the exercise of outstanding mineral rights underlying those lands. The Energy Policy Act of 1992, section 2508, directed the Secretary of Agriculture to apply specified terms and conditions to surface-disturbing activities related to development of oil and gas on certain lands with outstanding mineral rights on the Allegheny National Forest, and promulgate regulations implementing that section.

The Forest Service initiated rulemaking for the use of NFS lands for development activities associated with both reserved and outstanding minerals rights with an Advance Notice of Proposed Rulemaking (ANPRM) in the **Federal Register** on December 29, 2008. Comments from the public in response to the ANPRM conveyed a high level of concern about the broad scope of the rule, along with a high level of concern about effects of a broad rule on small businesses and local economies.

Timetable:

Action	Date	FR Cite
ANPRM	12/29/08	73 FR 79424
ANPRM Comment Period End.	02/27/09	
NPRM	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: LaRenda C King, Assistant Director, Directives and Regulations, Department of Agriculture, Forest Service, ATTN: ORMS, D&R Branch, 1400 Independence Avenue SW., Washington, DC 20250–0003, *Phone:* 202 205–6560, *Email: larendacking@fs.fed.us.*

RIN: 0596–AD03

DEPARTMENT OF AGRICULTURE (USDA)

Forest Service (FS)

Final Rule Stage

27. Ski Area—D Clauses: Resource and Improvement Protection, Water Facilities, and Water Rights

Legal Authority: FSH 2709.11

Abstract: On November 8, 2011, the Forest Service issued an interim directive (FSH 2709.11–2011–3) including a revised clause to address the ownership of water rights developed on National Forest System (NFS) lands for use by ski area permit holders. On March 6, 2012, a second interim

directive (FSH 2709.11–2012–1) for the revised ski area water rights clause was issued, superseding the 2011 version. The National Ski Areas Association filed a lawsuit in the United States District Court for the District of Colorado on March 12, 2012, opposing use of the revised clause. On December 19, 2012, the court ruled that the Forest Service had erred in not providing an opportunity for notice and comment on the interim directive and that the agency needed to conduct a Regulatory Flexibility Act analysis of the impact of the directive on small business entities that hold ski area permits. The court vacated the interim directive and enjoined enforcement of the 2011 and 2012 clauses in permits containing them. The proposed directive would address the development of water facilities on NFS lands; the ownership of preexisting and future water rights; mechanisms to ensure sufficient water remains for ski areas on NFS lands; and measures necessary to protect NFS lands and resources. The Forest Service published the proposed ski area water rights clause in the **Federal Register** for public notice and comment. To identify interests and views from a diverse group of stakeholders regarding a revised water rights clause for ski areas, the Forest Service held four stakeholder meetings in April 2013. The input from the stakeholder sessions will be considered in the development of a final water rights clause for ski areas.

Timetable:

Action	Date	FR Cite
Proposed Directive.	06/23/14	79 FR 35513
Proposed Directive Comment Period End.	08/22/14	
Final Directive	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: LaRenda C King, Assistant Director, Directives and Regulations, Department of Agriculture, Forest Service, ATTN: ORMS, D&R Branch, 1400 Independence Avenue SW., Washington, DC 20250–0003, *Phone:* 202 205–6560, *Email: larendacking@fs.fed.us.*

RIN: 0596–AD14

[FR Doc. 2015–14339 Filed 6–17–15; 8:45 am]

BILLING CODE 3410–11–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part IV

Department of Commerce

Unified Agenda

DEPARTMENT OF COMMERCE

Office of the Secretary

13 CFR Ch. III

15 CFR Subtitle A; Subtitle B, Chs. I, II, III, VII, VIII, IX, and XI

19 CFR Ch. III

37 CFR Chs. I, IV, and V

48 CFR Ch. 13

50 CFR Chs. II, III, IV, and VI

Spring 2015 Semiannual Agenda of Regulations

AGENCY: Office of the Secretary, Commerce.

ACTION: Semiannual regulatory agenda.

SUMMARY: In compliance with Executive Order 12866, entitled ''Regulatory Planning and Review,'' and the Regulatory Flexibility Act, as amended, the Department of Commerce (Commerce), in the spring and fall of each year, publishes in the **Federal Register** an agenda of regulations under development or review over the next 12 months. Rulemaking actions are grouped according to prerulemaking, proposed rules, final rules, long-term actions, and rulemaking actions completed since the fall 2014 agenda. The purpose of the Agenda is to provide information to the public on regulations that are currently under review, being proposed, or issued by Commerce. The agenda is intended to facilitate comments and views by interested members of the public.

Commerce's spring 2015 regulatory agenda includes regulatory activities that are expected to be conducted during the period April 1, 2015, through March 31, 2016.

FOR FURTHER INFORMATION CONTACT: *Specific:* For additional information about specific regulatory actions listed in the agenda, contact the individual identified as the contact person.

General: Comments or inquiries of a general nature about the agenda should be directed to Asha Mathew, Chief Counsel for Regulation, Office of the Assistant General Counsel for Legislation and Regulation, U.S. Department of Commerce, Washington, DC 20230, telephone: 202–482–3151.

SUPPLEMENTARY INFORMATION: Commerce hereby publishes its spring 2015 Unified Agenda of Federal Regulatory and Deregulatory Actions pursuant to Executive Order 12866 and the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* Executive Order 12866 requires agencies to publish an agenda of those regulations that are under consideration pursuant to this order. By memorandum of February 23, 2015, the Office of Management and Budget issued guidelines and procedures for the preparation and publication of the spring 2015 Unified Agenda. The Regulatory Flexibility Act requires agencies to publish, in the spring and fall of each year, a regulatory flexibility agenda that contains a brief description of the subject of any rule likely to have a significant economic impact on a substantial number of small entities, and a list that identifies those entries that have been selected for periodic review under section 610 of the Regulatory Flexibility Act.

In addition, beginning with the fall 2007 edition, the Internet became the basic means for disseminating the Unified Agenda. The complete Unified Agenda is available online at *www.reginfo.gov,* in a format that offers users a greatly enhanced ability to obtain information from the Agenda database.

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act, Commerce's printed agenda entries include only:

(1) Rules that are in the Agency's regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and

(2) Rules that the Agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's Agenda requirements. Additional information on these entries is available in the Unified Agenda published on the Internet.

Within Commerce, the Office of the Secretary and various operating units may issue regulations. These operating units, the National Oceanic and Atmospheric Administration (NOAA), the Bureau of Industry and Security, and the Patent and Trademark Office, issue the greatest share of Commerce's regulations.

A large number of regulatory actions reported in the Agenda deal with fishery management programs of NOAA's National Marine Fisheries Service (NMFS). To avoid repetition of programs and definitions, as well as to provide some understanding of the technical and institutional elements of NMFS' programs, an ''Explanation of Information Contained in NMFS Regulatory Entries'' is provided below.

Explanation of Information Contained in NMFS Regulatory Entries

The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) (the Act) governs the management of fisheries within the Exclusive Economic Zone of the United States (EEZ). The EEZ refers to those waters from the outer edge of the State boundaries, generally 3 nautical miles, to a distance of 200 nautical miles. Fishery Management Plans (FMPs) are to be prepared for fisheries that require conservation and management measures. Regulations implementing these FMPs regulate domestic fishing and foreign fishing where permitted. Foreign fishing may be conducted in a fishery in which there is no FMP only if a preliminary fishery management plan has been issued to govern that foreign fishing. Under the Act, eight Regional Fishery Management Councils (Councils) prepare FMPs or amendments to FMPs for fisheries within their respective areas. In the development of such plans or amendments and their implementing regulations, the Councils are required by law to conduct public hearings on the draft plans and to consider the use of alternative means of regulating.

The Council process for developing FMPs and amendments makes it difficult for NMFS to determine the significance and timing of some regulatory actions under consideration by the Councils at the time the semiannual regulatory agenda is published.

Commerce's spring 2015 regulatory agenda follows.

Kelly Welsh,

General Counsel.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
28	Amendment 22 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region.	0648–BA53
29	Fisheries Off West Coast States; West Coast Salmon Fisheries; Amendment 18; Essential Fish Habitat Descriptions for Pacific Salmon.	0648–BC95
30	Amendment 5b to the Highly Migratory Species Fishery Management Plan	0648–BD22
31	Amendment 39 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico	0648–BD25
32	Implementation of a Program for Transshipments by Large Scale Fishing Vessels in the Eastern Pacific Ocean.	0648–BD59
33	Red Snapper Allocation—Amendment 28 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico **(Section 610 Review)**.	0648–BD68
34	Amendment 7 to the FMP for the Dolphin Wahoo Fishery of the Atlantic and Amendment 33 to the FMP for the Snapper-Grouper Fishery of the South Atlantic.	0648–BD76
35	Regulatory Amendment 16 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region.	0648–BD78
36	2015–2016 Pacific Coast Groundfish Harvest Specifications and Management Measures and Amendment 24 to the Pacific Coast Groundfish FMP.	0648–BE27
37	Generic Accountability Measure and Dolphin Allocation Amendment for the South Atlantic Region	0648–BE38
38	Omnibus Acceptable Biological Catch Framework Adjustment	0648–BE65
39	Amendment 35 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region.	0648–BE70
40	Modification of the Temperature-Dependent Component of the Pacific Sardine Harvest Guideline Control Rule to Incorporate new Scientific Information.	0648–BE77
41	Modification of the Daily Bag Limits and to Establish At-sea Fillet Requirements for the U.S. West Coast Recreational Pacific Bluefin Tuna Fishery.	0648–BE78
42	2015–2016 Atlantic Bluefin Tuna Quotas	0648–BE81
43	Revision of Skate Maximum Retainable Amounts in the Gulf of Alaska Groundfish Fishery	0648–BE85
44	2015 Summer Flounder, Scup, and Black Sea Bass Recreational Harvest Measures	0648–BE89
45	Pacific Coast Groundfish Fishing Capacity Reduction Loan Refinance **(Section 610 Review)**	0648–BE90
46	Amendment 44 to the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs to Modify Right of First Refusal Provisions of the Crab Rationalization Program.	0648–BE98
47	Revisions to Hawaiian Islands Humpback Whale National Marine Sanctuary Regulations	0648–BD97

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
48	Fishery Management Plan for Regulating Offshore Marine Aquaculture in the Gulf of Mexico	0648–AS65
49	Atlantic Highly Migratory Species; Future of the Atlantic Shark Fishery	0648–BA17
50	Implement the 2010 Shark Conservation Act Provisions and Other Regulations in the Atlantic Smoothhound Shark Fishery.	0648–BB02
51	Amendment 7 to the 2006 Consolidated Highly Migratory Species Fishery Management Plan	0648–BC09
52	Amendment 43 to the FMP for BSAI King and Tanner Crabs and Amendment 103 to the FMP for Groundfish of the BSAI.	0648–BC34
53	Pacific Coast Groundfish Trawl Rationalization Program Trailing Action: Rule to Modify Chafing Gear Regulations for Midwater Trawl Gear Used in the Pacific Coast Groundfish Fishery.	0648–BC84
54	Codifying the Initial Vessel Monitoring System Type-approval Process and Requirements, and the Recertification and Revocation Processes.	0648–BD02
55	Pacific Coast Groundfish Trawl Rationalization Program Trailing Actions: Permitting Requirements for Observer and Catch Monitor Providers.	0648–BD30
56	Amendment 97 to the Fishery Management Plan for Groundfish of the Gulf of Alaska to Establish Chinook Salmon Prohibited Species Catch Limits for the Non-pollock Trawl Fisheries.	0648–BD48
57	Implementation of the Inter-American Tropical Tuna Commission Resolution to Establish a Vessel Monitoring System Program in the Eastern Pacific Ocean.	0648–BD54
58	Amendment 45 to the Fishery Management Plan for Bering Sea and Aleutian Islands King and Tanner Crab Freezer Longline Catcher/Processor Pacific Cod Sideboard Removal.	0648–BD61
59	Information Collection Program for Atlantic Surfclam and Ocean Quahog Fisheries	0648–BD64
60	Amendment 8 to the Fishery Management Plan for Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region.	0648–BD81
61	Amendment 100 to the FMP for Groundfish of the BSAI Management Area and Amendment 91 to the FMP for Groundfish of the Gulf of Alaska to add Grenadiers to the Ecosystem Component Category.	0648–BD98
62	Implementation of a Gulf of Alaska Trawl Fishery Economic Data Collection Program	0648–BE09
63	Regulatory Amendment to Change the Definition of Sport Fishing Guide Services for Pacific Halibut in International Pacific Halibut Commission Area 2C and Area 3A.	0648–BE41
64	Framework Action to Revise Recreational Accountability Measures for Red Snapper	0648–BE44
65	Amendment 16 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico, U.S. Waters.	0648–BE46
66	Amendment 40 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico	0648–BE47
67	2015–2017 Specifications and Management Measures for the Atlantic Mackerel, Squid, and Butterfish Fisheries.	0648–BE49

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—FINAL RULE STAGE—Continued

Sequence No.	Title	Regulation Identifier No.
68	Framework Adjustment 26 to the Atlantic Sea Scallop Fishery Management Plan **(Section 610 Review)**	0648–BE68
69	Designation of Critical Habitat for the North Atlantic Right Whale	0648–AY54
70	Revision of Hawaiian Monk Seal Critical Habitat	0648–BA81
71	Endangered and Threatened Species: Designation of Critical Habitat for Threatened Lower Columbia River Coho Salmon and Puget Sound Steelhead.	0648–BB30
72	Designation of Critical Habitat for the Arctic Ringed Seal	0648–BC56
73	2015 Annual Determination to Implement the Sea Turtle Observer Requirement	0648–BE35

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
74	Comprehensive Fishery Management Plan for Puerto Rico	0648–BD32
75	Comprehensive Fishery Management Plan for St. Croix	0648–BD33
76	Comprehensive Fishery Management Plan for St. Thomas/St. John	0648–BD34
77	Designate Critical Habitat for the Hawaiian Insular False Killer Whale Distinct Population Segment	0648–BC45

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
78	Inner Limit of the Exclusive Economic Zone under the Magnuson-Stevens Fishery Conservation and Management Act.	0648–BC92
79	Regulatory Amendment 14 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region.	0648–BD07
80	Amendment 105 Bering Sea Flatfish Harvest Specifications Flexibility	0648–BD23
81	International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Restrictions Regarding the Oceanic Whitetip Shark, the Whale Shark, and the Silky Shark.	0648–BD44
82	Southern New England Effort Controls to Address Lobster Stock Rebuilding Measures	0648–BD45
83	South Atlantic Coastal Migratory Pelagics Framework Action 2013 **(Completion of a Section 610 Review)**.	0648–BD58
84	Amendment 96 to the Fishery Management Plan for Groundfish of the Gulf of Alaska to revise the Community Quota Entity Program.	0648–BD74
85	Amendment 20B to the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region.	0648–BD86
86	Temporary Rule Through Emergency Action to Revise Annual Catch Limits and Accountability Measures for Blueline Tilefish and the Deep-Water Complex in the South Atlantic Region.	0648–BD87
87	Framework Adjustment 3 to the Atlantic Herring Fishery Management Plan	0648–BE01
88	Steller Sea Lion Protection Measures for the Bering Sea and Aleutian Islands Groundfish Fisheries off Alaska.	0648–BE06
89	Implement 2015–2017 Tilefish Specifications	0648–BE37
90	Marine Mammal Protection Act Permit Regulation Revisions	0648–AV82
91	Designation of Critical Habitat for the Beringia Distinct Population Segment of the Bearded Seal	0648–BC55
92	Designation of Critical Habitat for the Distinct Population Segments of Yelloweye Rockfish, Canary Rockfish, and Bocaccio.	0648–BC76

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Proposed Rule Stage

National Marine Fisheries Service

28. Amendment 22 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region

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

Abstract: Amendment 22 is being developed to closely control annual harvest levels of snapper-grouper species with very low recreational annual catch limits through a recreational tag program. Participants in the tag program would be issued tags through a process implemented by the National Marine Fisheries Service. Tags issued to individuals or entities would allow the tag holder to harvest a set number of fish from federal waters in the South Atlantic Region. A tag program for species with small annual catch limits would help constrain harvest at or below the annual catch limits while ensuring fairness and equitability among fishery participants.

Timetable:

Action	Date	FR Cite
Notice of Intent	01/03/11	76 FR 101
Notice of Intent Comment Period End.	02/14/11	
NPRM	02/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov.*

RIN: 0648–BA53

29. Fisheries Off West Coast States; West Coast Salmon Fisheries; Amendment 18; Essential Fish Habitat Descriptions for Pacific Salmon

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

Abstract: The action implements Amendment 18 to the Pacific Coast Salmon Fishery Management Plan. This amendment addressed revisions to the Pacific coast salmon essential fish habitat provisions under the Magnuson-Stevens Fishery Conservation and Management Act.

Timetable:

Action	Date	FR Cite
Notice	06/16/14	79 FR 34272
NPRM	12/00/15	

Regulatory Flexibility Analysis Required: No.

Agency Contact: William Stelle Jr., Regional Administrator, West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Building 1, Seattle, WA 98115, *Phone:* 206 526–6150, *Email: will.stelle@noaa.gov.*

RIN: 0648–BC95

30. Amendment 5B to the Highly Migratory Species Fishery Management Plan

Legal Authority: 16 U.S.C. 1801 *et seq.;* 16 U.S.C. 971 *et seq.*

Abstract: This rulemaking would propose management measures for dusky sharks based on a recent stock assessment, taking into consideration comments received on the proposed rule and Amendment 5 to the 2006 Consolidated Highly Migratory Species Fishery Management Plan. This rulemaking could consider a range of commercial and recreational management measures in both directed and incidental shark fisheries including, among other things, gear modifications, time/area closures, permitting, shark identification requirements, and reporting requirements. NMFS determined dusky sharks are still overfished and still experiencing overfishing and originally proposed management measures to end overfishing and rebuild dusky sharks in a proposed rule for Draft Amendment 5 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan. That proposed rule also contained management measures for scalloped hammerhead, sandbar, blacknose and Gulf of Mexico blacktip sharks. NMFS decided to move forward with Draft Amendment 5's management measures for scalloped hammerhead, sandbar, blacknose and Gulf of Mexico blacktip sharks in a final rule and final amendment that will now be referred to as ''Amendment 5a'' to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan. Dusky shark management measures will be addressed in this separate, but related, action and will be referred to as ''Amendment 5b.''

Timetable:

Action	Date	FR Cite
NPRM	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Alan Risenhoover, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13362, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 713–2334, *Fax:* 301 713–0596, *Email: alan.risenhoover@noaa.gov.*

RIN: 0648–BD22

31. Amendment 39 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico

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

Abstract: The purpose of this action is to facilitate management of the recreational red snapper component in the reef fish fishery by reorganizing the federal fishery management strategy to better account for biological, social, and economic differences among the regions of the Gulf of Mexico. Regional management would enable regions and their associated communities to specify the optimal management parameters that best meet the needs of their local constituents thereby addressing regional socio-economic concerns.

Timetable:

Action	Date	FR Cite
Notice	05/13/13	78 FR 27956
Next Stage Undetermined.	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov.*

RIN: 0648–BD25

32. Implementation of a Program for Transshipments by Large Scale Fishing Vessels in the Eastern Pacific Ocean

Legal Authority: 16 U.S.C. 951 *et seq.;* 16 U.S.C. 971 *et seq.*

Abstract: This rule would implement the Inter-American Tropical Tuna Commission program to monitor transshipments by large-scale tuna fishing vessels, and would govern transshipments by U.S. large-scale tuna fishing vessels and carrier, or receiving, vessels. The rule would establish: criteria for transshipping in port; criteria for transshipping at sea by longline vessels to an authorized carrier vessel with an Inter-American Tropical Tuna Commission observer onboard and an operational vessel monitoring system; and require the Pacific Transshipment Declaration Form, which must be used to report transshipments in the Inter-American Tropical Tuna Commission Convention Area. The rule is neither applicable to troll and pole-and-line vessels, nor to vessels that transship fresh fish at sea. The frequency of transshipments in the Eastern Pacific Ocean is uncertain, but only a few transshipments are expected annually. A similar rule was adopted in the Western and Central Pacific Ocean and the National Marine Fisheries Service calculated that an average of twenty-four at-sea transshipments of fish caught by longline gear there have occurred annually from 1993 through 2009. Transshipments in the Eastern Pacific Ocean are likely to be much less than twenty-four per year. This rule is necessary for the United States to satisfy its international obligations under the 1949 Convention for the Establishment of an Inter-American Tropical Tuna, to which it is a Contracting Party.

Timetable:

Action	Date	FR Cite
NPRM	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William Stelle Jr., Regional Administrator, West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Building 1, Seattle, WA 98115, *Phone:* 206 526–6150, *Email: will.stelle@noaa.gov.*

RIN: 0648–BD59

33. Red Snapper Allocation—Amendment 28 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (Section 610 Review)

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

Abstract: The current allocation of red snapper between the commercial and recreational sectors is 51:49 percent, respectively. The Gulf of Mexico Fishery Management Council (Council) is considering a change in the allocation with the aim of increasing the net benefits from red snapper fishing and increasing the stability of the red snapper recreational component of the reef fish fishery. The rule will consider options that would increase the recreational sector's allocation above 49 percent.

Timetable:

Action	Date	FR Cite
NPRM	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov*.

RIN: 0648–BD68

34. Amendment 7 to the FMP for the Dolphin Wahoo Fishery of the Atlantic and Amendment 33 to the FMP for the Snapper-Grouper Fishery of the South Atlantic

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

Abstract: The purpose of Amendment 7 to the Fishery Management Plan for the Dolphin and Wahoo Fishery of the Atlantic is to allow fishermen to bring dolphin and wahoo fillets from The Commonwealth of The Bahamas into the U.S. Economic Exclusive Zone (EEZ). Regulations at 50 CFR 622.186 (b) currently allow fillets of snapper grouper species from The Bahamas to be brought into the U.S. EEZ. Additionally, regulations would be updated for snapper grouper species and dolphin and wahoo to require all fillets to have the skin intact; and consider an exemption from bag limits for dolphin and wahoo in the U.S. EEZ. The need for this action is to increase economic and social benefits to fishermen by removing unnecessary restrictions and implementing regulations for dolphin and wahoo that are consistent with snapper grouper species.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov*.

RIN: 0648–BD76

35. Regulatory Amendment 16 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region

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

Abstract: Regulatory Amendment 16 contains an action to address the prohibition on the use of black sea bass pots annually from November 1 through April 30 that was implemented through Regulatory Amendment 19. The prohibition was a precautionary measure to prevent interactions between black sea bass pot gear and whales listed under the Endangered Species Act during large whale migrations and the right whale calving season off the southeastern coast. The South Atlantic Fishery Management Council, through Regulatory Amendment 16, is considering removal of the closure, changing the length of the closure, and changing the area of the closure. The goal is to minimize adverse socio-economic impacts to black sea bass pot endorsement holders while maintaining protection for Endangered Species Act-listed whales in the South Atlantic region.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov*.

RIN: 0648–BD78

36. 2015–2016 Pacific Coast Groundfish Harvest Specifications and Management Measures and Amendment 24 to the Pacific Coast Groundfish FMP

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

Abstract: The action set biennial allowable harvest levels for Pacific Coast groundfish, as well as management measures for commercial and recreational fisheries that are designed to achieve those harvest levels. For the 2015–2016 biennium, the Council recommended changes in rebuilding parameters for one overfished species, cowcod. As such, the rebuilding plan was revised and affected the Annual Catch Limit value for this species for the two-year period and beyond. The rule adjusts the harvest specifications including Overfishing Limits, the Acceptable Biological Catches, and Annual Catch Limits, as well as the management measures to achieve those specifications. Finally, the rule implements Amendment 24, which modifies the procedures in the Fishery Management Plan so that in the absence of explicit Council action, harvest specification values, based on default harvest control rules, for one or more stocks may be implemented by the National Marine Fisheries Service.

Timetable:

Action	Date	FR Cite
NPRM	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William Stelle Jr., Regional Administrator, West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Building 1, Seattle, WA 98115, *Phone:* 206 526–6150, *Email: will.stelle@noaa.gov*.

RIN: 0648–BE27

37. Generic Accountability Measure and Dolphin Allocation Amendment for the South Atlantic Region

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

Abstract: The action would include amendment 34 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region, amendment 9 to the Fishery Management Plan for the Golden Crab Fishery of the South Atlantic Region, and amendment 8 to the Fishery Management Plan for the Dolphin-Wahoo Fishery of the Atlantic. Currently, there are inconsistent accountability measures for federally managed species in the South Atlantic, except for inseason closures of the commercial sector when a commercial annual catch limit is met or projected to be met. Therefore, amendment 34 and amendment 9 would propose modifications to accountability measures for snapper-grouper species and golden crab to create a more consistent regulatory environment while ensuring overfishing does not occur. Amendment 8 would consider alternatives to modify sector allocations for dolphin. The current method for

determining allocations is based on a time series of data from 1999–2008. Dolphin landings data starting from 1986 are available, and the South Atlantic Fishery Management Council is re-examining the sector allocations based on this expanded times series of data.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727–824–5308, *Email: roy.crabtree@noaa.gov*.

RIN: 0648–BE38

38. • Omnibus Acceptable Biological Catch Framework Adjustment

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

Abstract: This action would make two administrative adjustments to the Mid-Atlantic Fishery Management Councils (Council) Omnibus Annual Catch Limit Amendment: 1) adjust the Councils risk policy so that the Scientific and Statistical Committee may apply an average probability of overfishing when recommending multi-year Acceptable Biological Catches; and 2) make all of the Councils fishery management plans consistent in allowing new status determination criteria (overfishing definitions, etc.) to be accepted as the best available scientific information.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John K. Bullard, Regional Administrator, Greater Atlantic Region, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930, *Phone:* 978 281–9287, *Email: john.bullard@noaa.gov*.

RIN: 0648–BE65

39. • Amendment 35 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region

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

Abstract: Amendment 35 would consider removing black snapper, dog snapper, mahogany snapper, and schoolmaster from the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region because these species have extremely low commercial landings in state and Federal waters. Almost all harvest (recreational and commercial) occurs in South Florida, and the Florida Fish and Wildlife Conservation Commission has agreed that if the four species are removed from the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region they will extend state regulations for those species into Federal waters. Additionally, the South Atlantic Fishery Management Council (Council) desires consistent regulations for snapper-grouper species caught primarily in South Florida. Removing the four subject species would establish a consistent regulatory environment in Federal and state waters off southern Florida where they are most frequently encountered. Amendment 35 would also clarify, in accordance with the Council's intent, regulations governing use of golden tilefish longline endorsements.

Timetable:

Action	Date	FR Cite
NPRM	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov*.

RIN: 0648–BE70

40. • Modification of the Temperature-Dependent Component of the Pacific Sardine Harvest Guideline Control Rule To Incorporate New Scientific Information

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

Abstract: Pursuant to a recommendation of the Pacific Fishery Management Council (Council) under the Magnuson-Stevens Act, NMFS is proposing to use a new temperature index to calculate the temperature parameter of the Pacific sardine harvest guideline control rule under the Fishery Management Plan. The harvest guideline control rule, in conjunction with the overfishing limit and acceptable biological catch control rules, is used to set annual harvest levels for Pacific sardine. The temperature parameter is calculated annually. NMFS determined that a new temperature index is more statistically sound and this action will adopt that index. This action will also revise the upper temperature limit to allow for additional sardine harvest where prior guidelines set catch unnecessarily low.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William Stelle Jr., Regional Administrator, West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Building 1, Seattle, WA 98115, *Phone:* 206 526–6150, *Email: will.stelle@noaa.gov*.

RIN: 0648–BE77

41. • Modification of the Daily Bag Limits and To Establish At-Sea Fillet Requirements for the U.S. West Coast Recreational Pacific Bluefin Tuna Fishery

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

Abstract: This action would implement regulations recommended by the Pacific Fishery Management Council that would impose a two-fish daily bag limit, with a maximum multi-day possession limit of six fish, for recreational harvest of north Pacific bluefin tuna. The daily bag and possession limits would apply to U.S. anglers fishing in the exclusive economic zone of the U.S. West Coast and/or in Mexicos waters and returning to U.S. ports. The rule is expected to reduce mortality on north Pacific bluefin tuna and contribute to the recovery of the stock, which is overfished and subject to overfishing.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William Stelle Jr., Regional Administrator, West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Building 1, Seattle, WA 98115, *Phone:* 206 526–6150, *Email: will.stelle@noaa.gov*.

RIN: 0648–BE78

42. • 2015–2016 Atlantic Bluefin Tuna Quotas

Legal Authority: 16 U.S.C. 1801 *et seq.;* 16 U.S.C. 971 *et seq.*

Abstract: This rule would increase the Atlantic bluefin tuna base quotas and subquotas, implementing the U.S. annual Atlantic Bluefin Tuna quota recommended for 2015 and 2016 by the International Commission for the Conservation of Atlantic Tunas and allocating that quota among the domestic fishing categories.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Alan Risenhoover, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13362, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 713–2334, *Fax:* 301 713–0596, *Email: alan.risenhoover@noaa.gov*.

RIN: 0648–BE81

43. • Revision of Skate Maximum Retainable Amounts in the Gulf of Alaska Groundfish Fishery

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

Abstract: This proposed rule would reduce the maximum retainable amount of incidentally caught skates in directed fisheries for groundfish in the Gulf of Alaska to 5 percent, which would allow a vessel to retain skates in an amount up to 5 percent of the weight of the target groundfish species onboard the vessel. The skate maximum retainable amount is intended to limit harvest of skates to the intrinsic rate of incidental catch of skates in Gulf of Alaska groundfish fisheries and to provide a disincentive for vessels to target skates. Skate harvests have increased in recent years and have exceeded the acceptable biological catch in some areas. The proposed action is necessary to enhance conservation and management of skates by decreasing the incentive for vessels to target skates and to slow the harvest rate of skates.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James Balsiger, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586–7221, *Fax:* 907–586–7465, *Email: jim.balsiger@noaa.gov*.

RIN: 0648–BE85

44. • 2015 Summer Flounder, Scup, and Black Sea Bass Recreational Harvest Measures

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

Abstract: This rule would propose management measures such as recreational possession limits, minimum fish sizes, and seasonal closures to achieve recreational harvest limits for the 2015 summer flounder, scup, and black sea bass recreational fisheries. The recreational harvest limits for these species have been established in a separate rulemaking. This rule proposes the management measures the Council has recommended to help ensure recreational harvest is constrained to those harvest limits.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John K. Bullard, Regional Administrator, Greater Atlantic Region, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930, *Phone:* 978 281–9287, *Email: john.bullard@noaa.gov*.

RIN: 0648–BE89

45. • Pacific Coast Groundfish Fishing Capacity Reduction Loan Refinance (Section 610 Review)

Legal Authority: 16 U.S.C. 1861 *et seq.*

Abstract: NMFS plans to issue proposed regulations to refinance the voluntary fishing capacity reduction loan program implemented in 2004 in the Pacific Coast groundfish Federal limited-entry trawl, Washington coastal Dungeness crab, and California pink shrimp fisheries (collectively known as the refinanced reduction fisheries). The refinance loan of up to $30 million will establish a new industry fee system for future landings of the refinanced reduction fisheries. Upon publishing a final rule and receipt of an appropriation, NMFS will conduct three referenda to refinance the existing debt obligation in each of the refinanced reduction fisheries. If a referendum in one, two, or all three of the fisheries is successful, that fisherys current loan will be repaid in full and a new loan in the amount of the principal and interest balance as of the date of funding will be issued. The terms were prescribed in the 2015 National Defense Authorization Act and include a 45-year term to maturity, interest charged at a current Treasury interest rate, and a maximum repayment fee of 3% of ex-vessel value.

Timetable:

Action	Date	FR Cite
NPRM	05/00/15	
Final Action	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brian Pawlak, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427–8621, *Email: brian.t.pawlak@noaa.gov*.

RIN: 0648–BE90

46. • Amendment 44 to the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs To Modify Right of First Refusal Provisions of the Crab Rationalization Program

Legal Authority: 16 U.S.C. 1862 *et seq.;* Pub. L. 109–241; Pub. L. 109–479

Abstract: This rule would amend the Bering Sea and Aleutian Islands Crab Rationalization Program through two actions. The first action would modify right of first refusal provisions that provide eligible crab community entities with the opportunity to purchase processor quota shares and other associated assets proposed for sale. The first action would extend the amount of time allowed for eligible crab community entities to exercise and perform a right of first refusal contract; remove or modify provisions that allow the right of first refusal to lapse under specific conditions; provide flexibility for eligible crab community entities and processor quota shareholders to apply a right of first refusal only to mutually-agreed upon assets; and revise reporting requirements for pending transfers of processor quota share. The second action would amend regulations to separate the combined individual fishing quota/individual processor quota application into two applications, and revise reporting requirements for crab cooperatives. The actions are intended to benefit eligible crab communities by enhancing opportunities to retain community historical processing interests in the Bering Sea and Aleutian Islands crab fisheries, and improve the administration of the Crab Rationalization Program. The first action would affect about 21 processor quota share holders. The rule would require all persons holding processor quota share to provide a new annual notification to NOAA Fisheries Service

regarding the status of right of first refusal for all processor quota share holdings. The second action would make minor administrative regulatory amendments to clarify permit application procedures and reporting requirements for individual fishing quota holders and individual processor quota share holders. These amendments would not implement additional regulatory requirements for affected participants.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James Balsiger, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586–7221, *Fax:* 907 586–7465, *Email: jim.balsiger@noaa.gov*.

RIN: 0648–BE98

NOS/ONMS

47. Revisions to Hawaiian Islands Humpback Whale National Marine Sanctuary Regulations

Legal Authority: 16 U.S.C. 1431 *et seq.;* Pub. L. 102–587

Abstract: In 2010, the Office of National Marine Sanctuaries (ONMS) initiated a review of the Hawaiian Islands Humpback Whale National Marine Sanctuary management plan, to evaluate substantive progress toward implementing the goals for the sanctuary, and to make revisions to its management plan and regulations as necessary to fulfill the purposes and policies of the National Marine Sanctuaries Act (NMSA) and the Hawaiian Islands National Marine Sanctuary Act (HINMSA; Title II, Subtitle C, Pub. L. 102587). ONMS intends to publish a proposed rule and draft EIS that proposes to expand the scope of the sanctuary to ecosystem based management rather than concentrating on only humpback whales. In addition, possible boundary expansion will be discussed.

Timetable:

Action	Date	FR Cite
Notice	07/14/10	75 FR 40759
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Edward Lindelof, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 713–3137, *Email: edward.lindelof@noaa.gov*.

RIN: 0648–BD97

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Final Rule Stage

National Marine Fisheries Service

48. Fishery Management Plan for Regulating Offshore Marine Aquaculture in the Gulf of Mexico

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

Abstract: The purpose of this fishery management plan is to develop a regional permitting process for regulating and promoting environmentally sound and economically sustainable aquaculture in the Gulf of Mexico exclusive economic zone. This fishery management plan consists of 10 actions, each with an associated range of management alternatives, which would facilitate the permitting of an estimated 5 to 20 offshore aquaculture operations in the Gulf of Mexico over the next 10 years, with an estimated annual production of up to 64 million pounds. By establishing a regional permitting process for aquaculture, the Gulf of Mexico Fishery Management Council will be positioned to achieve their primary goal of increasing maximum sustainable yield and optimum yield of federal fisheries in the Gulf of Mexico by supplementing harvest of wild caught species with cultured product. This rulemaking would outline a regulatory permitting process for aquaculture in the Gulf of Mexico, including: (1) Required permits, (2) duration of permits, (3) species allowed, (4) designation of sites for aquaculture; (5) reporting requirements, and (6) regulations to aid in enforcement.

Timetable:

Action	Date	FR Cite
Notice of Availability.	06/04/09	74 FR 26829
NPRM	08/28/14	79 FR 26829
NPRM Comment Period Reopened.	11/13/14	79 FR 67411
Final Action	11/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov*.

RIN: 0648–AS65

49. Atlantic Highly Migratory Species; Future of the Atlantic Shark Fishery

Legal Authority: 16 U.S.C. 1801 *et seq.;* 16 U.S.C. 971 *et seq.*

Abstract: The National Marine Fisheries Service is considering adjusting the regulations governing the U.S. Atlantic shark fishery to address current fishery issues and to identify specific shark fishery goals for the future. This action will consider potential changes to the quota and/or permit structure that are currently in place for the Atlantic shark fishery, and various catch share programs such as limited access privilege programs, individual fishing quotas, and sectors for the Atlantic shark fishery.

Timetable:

Action	Date	FR Cite
ANPRM	09/20/10	75 FR 57235
ANPRM Comment Period End.	01/14/11	
Notice	05/27/14	79 FR 30064
NPRM	01/20/15	80 FR 2648
Notice	03/09/15	80 FR 12394
Final Action	09/00/15	

Regulatory Flexibility Analysis Required: No.

Agency Contact: Alan Risenhoover, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13362, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 713–2334, *Fax:* 301 713–0596, *Email: alan.risenhoover@noaa.gov*.

RIN: 0648–BA17

50. Implement the 2010 Shark Conservation Act Provisions and Other Regulations in the Atlantic Smoothhound Shark Fishery

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

Abstract: This rule considers implementing the provisions of the 2010 Shark Conservation Act and other regulations in the Atlantic Smoothhound Fishery (which includes smooth dogfish and the Florida smoothhound). Specifically, this action would (1) modify regulations for smooth dogfish as needed to be consistent with the Shark Conservation Act, (2) consider other management measures, as needed, including the Terms and Conditions of

the Endangered Species Act Smoothhound Biological Opinion, and (3) consider revising the current smoothhound shark quota based on updated catch data.

Timetable:

Action	Date	FR Cite
NPRM	08/07/14	79 FR 46217
Final Action	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Alan Risenhoover, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13362, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 713–2334, *Fax:* 301 713–0596, *Email: alan.risenhoover@noaa.gov*.

RIN: 0648–BB02

51. Amendment 7 to the 2006 Consolidated Highly Migratory Species Fishery Management Plan

Legal Authority: 16 U.S.C. 1801 *et seq.;* 16 U.S.C. 971 *et seq.*

Abstract: Amendment 7 focused on bluefin tuna fishery management issues consistent with the need to end overfishing and rebuild the stock. Measures in Amendment 7 addressed several of the long-standing challenges facing the fishery and analyzed, among other things, revisiting quota allocations; reducing and accounting for dead discards; adding or modifying time/area closures or gear-restricted areas; and improving the reporting and monitoring of dead discards and landings in all categories.

Timetable:

Action	Date	FR Cite
Notice	04/23/12	77 FR 24161
Notice	06/08/12	77 FR 34025
NPRM	08/21/13	78 FR 52032
NPRM Comment Period Extended.	09/18/13	78 FR 57340
Public Hearing	11/05/13	78 FR 66327
NPRM Comment Period Reopened.	12/11/13	78 FR 75327
Public Hearing	12/26/13	78 FR 78322
Final Rule	12/02/14	79 FR 71509
Notice of Public Webinars.	12/16/14	79 FR 74652
Final Rule	12/30/14	79 FR 78310
Final Rule	02/04/15	80 FR 5991
Final Rule Effective.	02/04/15	
Final Action-Next Stage Undetermined.	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Alan Risenhoover, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13362, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 713–2334, *Fax:* 301 713–0596, *Email: alan.risenhoover@noaa.gov*.

RIN: 0648–BC09

52. Amendment 43 to the FMP for BSAI King and Tanner Crabs and Amendment 103 to the FMP for Groundfish of the BSAI

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

Abstract: This rule implements both Amendment 43 to the Fishery Management Plan for the Bering Sea/Aleutian Islands King and Tanner Crabs and Amendment 103 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area. Amendment 43 revised the current rebuilding plan for Pribilof Islands blue king crab (blue king crab) and Amendment 103 implemented groundfish fishing restrictions. A no-trawl Pribilof Islands Habitat Conservation Zone (Zone) was established in 1995 and the directed fishery for blue king crab has been closed since 1999. A rebuilding plan was implemented in 2003; however, blue king crab remains overfished and the current rebuilding plan has not achieved adequate progress towards rebuilding the stock by 2014. The rule closed the Zone to all Pacific cod pot fishing in addition to the current trawl prohibition. This measure will help support blue king crab rebuilding and prevent exceeding the overfishing limit of blue king crab by minimizing to the extent practical blue king crab bycatch in the groundfish fisheries.

Timetable:

Action	Date	FR Cite
Notice	08/21/14	79 FR 49463
NPRM	08/29/14	79 FR 51520
NPRM Comment Period End.	09/29/14	
Final Action	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James Balsiger, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586–7221, *Fax:* 907 586–7465, *Email: jim.balsiger@noaa.gov*.

RIN: 0648–BC34

53. Pacific Coast Groundfish Trawl Rationalization Program Trailing Action: Rule To Modify Chafing Gear Regulations for Midwater Trawl Gear Used in the Pacific Coast Groundfish Fishery

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

Abstract: This action modified the existing chafing gear regulations for midwater trawl gear, and includes housekeeping measures to clarify which vessels can use midwater trawl gear and where midwater trawl gear can be used. This action includes regulations that affect all trawl sectors (Shorebased Individual Fishing Quota Program, Mothership Cooperative Program, Catcher/Processor Cooperative Program, and tribal fishery) managed under the Pacific Coast Groundfish Fishery Management Plan.

Timetable:

Action	Date	FR Cite
NPRM	03/19/14	79 FR 15296
NPRM Correction Notice.	04/04/14	79 FR 18876
Final Action	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William Stelle Jr., Regional Administrator, West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Building 1, Seattle, WA 98115, *Phone:* 206 526–6150, *Email: will.stelle@noaa.gov*.

RIN: 0648–BC84

54. Codifying the Initial Vessel Monitoring System Type-Approval Process and Requirements, and the Recertification and Revocation Processes

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

Abstract: All vessels participating in the National Oceanic and Atmospheric Administration's Vessel Monitoring System program are required to use a National Marine Fisheries Service-approved transmitting unit. This rule will codify into regulations the unit type-approval standards, requirements, and procedures for vendors to maintain approval for their products and services. The rule also codifies requirements for agency approval, subsequent assessments, a renewal process, and procedures for revoking a unit's approval if the vendor fails to comply with the performance requirements. The current national process regarding unit type-approval requirements for evaluating performance and improving or revoking unit type approvals is not codified. Therefore, the purpose of this

rule is to codify the approval process, improve the enforceability of the approval requirements, and better ensure all unit type approvals remain in compliance and are consistent with the requirements. To eliminate the possibility of duplicating, overlapping, or conflicting Federal regulations, this rule would revise the Greater Atlantic Region's regulations to match those in this rule.

Timetable:

Action	Date	FR Cite
NPRM	09/09/14	79 FR 53386
Final Rule	12/24/14	79 FR 77399
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Alan Risenhoover, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13362, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 713–2334, *Fax:* 301 713–0596, *Email: alan.risenhoover@noaa.gov*.

RIN: 0648–BD02

55. Pacific Coast Groundfish Trawl Rationalization Program Trailing Actions: Permitting Requirements for Observer and Catch Monitor Providers

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

Abstract: This action would modify regulations pertaining to certified catch monitors and observers required under the Pacific Coast Groundfish Fishery Management Plan. The action specifies permitting requirements for business entities interested in providing certified observers and catch monitor services, as well as addresses numerous housekeeping measures and updates observer provider and vessel responsibilities relative to observer safety such that the regulations are consistent with the Coast Guard and Maritime Transportation Act of 2012.

Timetable:

Action	Date	FR Cite
NPRM	02/19/14	79 FR 9591
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William Stelle Jr., Regional Administrator, West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Building 1, Seattle, WA 98115, *Phone:* 206 526–6150, *Email: will.stelle@noaa.gov*.

RIN: 0648–BD30

56. Amendment 97 to the Fishery Management Plan for Groundfish of the Gulf of Alaska To Establish Chinook Salmon Prohibited Species Catch Limits for the Non-Pollock Trawl Fisheries

Legal Authority: 16 U.S.C. 1801 *et seq.;* 16 U.S.C. 773 *et seq.*

Abstract: This rule limits Chinook salmon prohibited species catch in the Western and Central Gulf of Alaska non-pollock trawl fisheries. Chinook salmon is a fully utilized species in Alaska coastal subsistence, recreational, and commercial fisheries. In recent years the returns of Chinook salmon to some Alaska river systems have been below the biological escapement goals established by the State of Alaska. This action is necessary to minimize the catch of Chinook salmon to the extent practicable in the Gulf of Alaska non-pollock trawl fisheries. This action would limit the annual Chinook salmon prohibited species catch in the non-pollock trawl fisheries to 7,500 salmon each year. If a sector reached its Chinook salmon prohibited species limit, further directed fishing for groundfish by vessels in that sector and season would be prohibited. Vessel operators would be required to retain salmon until the number of salmon has been determined by the vessel or plant observer and the observers data collection has been completed. About 70 vessels could be affected by this action. This action could reduce revenues from the fisheries, if the Chinook salmon prohibited species limit is reached before the groundfish quota is harvested. The action also may increase costs if vessel operators move fishing operations or take other actions to lower their catch of Chinook salmon.

Timetable:

Action	Date	FR Cite
Notice	06/05/14	79 FR 32525
NPRM	06/25/14	79 FR 35971
Final Action	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James Balsiger, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586–7221, *Fax:* 907 586–7465, *Email: jim.balsiger@noaa.gov*.

RIN: 0648–BD48

57. Implementation of the Inter-American Tropical Tuna Commission Resolution To Establish a Vessel Monitoring System Program in the Eastern Pacific Ocean

Legal Authority: 16 U.S.C. 1801 *et seq.;* 16 U.S.C. 951 *et seq.*

Abstract: This rule would implement the Inter-American Tropical Tuna Commissions Resolution intended to require owners and operators of tuna-fishing vessels to have installed, activate, carry and operate vessel monitoring system units (also known as mobile transmitting units). This regulation would apply to owners and operators of tuna-fishing vessels 24 meters or more in length operating in the eastern Pacific Ocean. The vessel monitoring system units would have to be type-approved and authorize the Inter-American Tropical Tuna Commission and National Marine Fisheries Service to receive and relay transmissions (also called position reports) from the vessel monitoring system unit. Vessel monitoring systems may enhance the safety of some vessels by allowing the vessels location to be tracked, which could assist in rescue efforts. This regulation would apply to commercial vessels and would not apply to recreational or charter vessels. This rule would apply to approximately seventy-four vessels, however, roughly thirty-eight of these vessels are already subject to vessel monitoring system requirements under the Western and Central Pacific Fisheries Commission. Due to the relatively small number of vessels affected, this rule is not expected to garner public opposition or congressional interest.

Timetable:

Action	Date	FR Cite
NPRM	02/06/14	79 FR 7152
Correction	02/25/14	79 FR 10465
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William Stelle Jr., Regional Administrator, West Coast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way Northeast, Building 1, Seattle, WA 98115, *Phone:* 206 526–6150, *Email: will.stelle@noaa.gov*.

RIN: 0648–BD54

58. Amendment 45 to the Fishery Management Plan for Bering Sea and Aleutian Islands King and Tanner Crab Freezer Longline Catcher/Processor Pacific Cod Sideboard Removal

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

Abstract: This rule would establish conditions for the removal of Gulf of Alaska Pacific cod catch limits, known as sideboards, which apply to some catcher/processor vessels using hook-and-line gear, also known as freezer longliners. The newly reorganized sideboard limits have effectively eliminated the ability of these stakeholders to participant in these Gulf of Alaska fisheries. The rule would remove the Gulf of Alaska Pacific cod sideboards from six freezer longline vessels if owners of vessels endorsed to catch and process Pacific cod in the Western Gulf of Alaska, Central Gulf of Alaska, or both (a total of nine vessels) agree to removal of the sideboards, within one year from the effective date of a final rule. If an agreement is not reached by the deadline, the sideboarded vessels would not be able to participate in the Gulf of Alaska fisheries. The requirement for an agreement is intended to promote cooperation among all affected parties prior to the removal of sideboards.

Timetable:

Action	Date	FR Cite
Notice of Availability.	02/02/15	80 FR 5499
NPRM	02/12/15	80 FR 7817
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James Balsiger, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586–7221, *Fax:* 907 586–7465, *Email: jim.balsiger@noaa.gov*.

RIN: 0648–BD61

59. Information Collection Program for Atlantic Surfclam and Ocean Quahog Fisheries

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

Abstract: The National Marine Fisheries Service is implementing this information collection program at the request of the Mid-Atlantic Fishery Management Council (Council). This program will collect additional information about the individuals who hold and/or control Individual Transferable Quota in the Atlantic surfclam and ocean quahog fisheries. This information will be used by the Council in the consideration and development of excessive shares cap(s) in these Individual Transferable Quota fisheries.

Timetable:

Action	Date	FR Cite
NPRM	08/07/14	79 FR 46233
NPRM Comment Period Re-opened.	10/02/14	79 FR 59472
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: No.

Agency Contact: John K. Bullard, Regional Administrator, Greater Atlantic Region, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930, *Phone:* 978 281–9287, *Email: john.bullard@noaa.gov*.

RIN: 0648–BD64

60. Amendment 8 to the Fishery Management Plan for Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region

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

Abstract: Coral Amendment 8 would modify the boundaries of the Oculina Bank Habitat Area of Particular Concern, the Stetson-Miami Terrace Coral Habitat Area of Particular Concern, and the Cape Lookout Coral Habitat Area of Particular Concern to protect deepwater coral ecosystems. The amendment also proposes to implement a transit provision through the Oculina Bank Habitat Area of Particular Concern for fishing vessels with rock shrimp onboard.

Timetable:

Action	Date	FR Cite
Notice	05/20/14	79 FR 28880
NPRM	06/03/14	79 FR 31907
Correction	07/01/14	79 FR 37269
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov.*

RIN: 0648–BD81

61. Amendment 100 to the FMP for Groundfish of the BSAI Management Area and Amendment 91 to the FMP for Groundfish of the Gulf of Alaska To Add Grenadiers to the Ecosystem Component Category

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

Abstract: Amendments 100 and 91 amended the Groundfish Fishery Management Plans to add grenadiers to the ecosystem component category. Grenadiers are caught incidentally in the groundfish fisheries and adding them to the Fishery Management Plans recognizes their role in the ecosystem. The National Marine Fisheries Service also implemented regulations for federally-permitted groundfish fishermen to improve reporting of grenadiers, limit retention, and prevent directed fishing for grenadiers. This action was necessary to limit the groundfish fisheries impact on grenadiers.

Timetable:

Action	Date	FR Cite
Notice of Availability.	05/05/14	79 FR 25558
NPRM	05/14/14	79 FR 27557
Final Action	03/05/15	80 FR 11897
Final Action Effective.	04/06/15	
Next Action Undetermined.	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James Balsiger, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586–7221, *Fax:* 907 586–7465, *Email: jim.balsiger@noaa.gov.*

RIN: 0648–BD98

62. Implementation of a Gulf of Alaska Trawl Fishery Economic Data Collection Program

Legal Authority: 16 U.S.C. 1801 *et seq.;* 16 U.S.C. 3631 *et seq.;* 16 U.S.C. 773 *et seq.;* Pub. L. 108199

Abstract: The National Marine Fisheries Service implemented the Trawl Economic Data Report Program to evaluate the economic effects of current and future groundfish and prohibited species catch management measures for the Gulf of Alaska trawl fisheries under the Fishery Management Plan for Groundfish of the Gulf of Alaska. This data collection program was necessary to provide the North Pacific Fishery Management Council and other analysts with baseline information on affected harvesters, crew, processors, and communities in the Gulf of Alaska that could be used to assess the impacts of major changes in the groundfish management regime, including catch share programs for prohibited species catch species and target species. The data collected, which may include labor information, revenues received, capital and operational expenses, and other operational or financial data for this program will be submitted by vessel owners and leaseholders of Gulf of

Alaska trawl vessels, processors receiving deliveries from those trawl vessels, and Amendment 80 catcher/processors.

Timetable:

Action	Date	FR Cite
NPRM	08/11/14	79 FR 46758
Final Action	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James Balsiger, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586–7221, *Fax:* 907 586–7465, *Email: jim.balsiger@noaa.gov.*

RIN: 0648–BE09

63. Regulatory Amendment To Change the Definition of Sport Fishing Guide Services for Pacific Halibut in International Pacific Halibut Commission Area 2C and Area 3A

Legal Authority: 16 U.S.C. 773 *et seq.*

Abstract: The National Marine Fisheries Service proposes regulations that would revise Federal regulatory text regarding sport fishing guide services for Pacific halibut in International Pacific Halibut Commission Regulatory Areas 2C (Southeast Alaska) and 3A (Central Gulf of Alaska) to remove the requirement that a charter vessel guide be on board the same vessel as a charter vessel angler to provide sport fishing guide services. The action would clarify that all sport fishing in which anglers receive assistance from a compensated guide will be managed under charter fishery regulations, and all harvest will accrue toward charter allocations. This action would align Federal regulations with State of Alaska regulations. If approved, the definition of sport fishing guide services would be revised and a definition for compensation would be added to Federal regulations. Additional minor changes to the regulatory text pertaining to the charter halibut fishery would be required to maintain consistency in the regulations with these new definitions. This action is necessary to achieve the halibut fishery management goals of the North Pacific Fishery Management Council.

Timetable:

Action	Date	FR Cite
NPRM	12/03/14	79 FR 71729
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James Balsiger, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586–7221, *Fax:* 907 586–7465, *Email: jim.balsiger@noaa.gov.*

RIN: 0648–BE41

64. Framework Action To Revise Recreational Accountability Measures for Red Snapper

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

Abstract: To address the court ruling in Guindon v. Pritzker, the Gulf of Mexico Fishery Management Council developed this framework action that would establish two accountability measures for the recreational red snapper sector. The first recreational accountability measure action established an annual catch target that is lower than the quota/annual catch limit and set the recreational season length based on the annual catch target. Previously, the season length was set based on the quota/annual catch limit. The second recreational accountability measure action was to establish an overage adjustment to mitigate the effects of any overage by reducing the quota/annual catch limit in the following year.

Timetable:

Action	Date	FR Cite
NPRM	11/21/14	79 FR 69418
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov.*

RIN: 0648–BE44

65. Amendment 16 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico, U.S. Waters

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

Abstract: This rule would change the annual catch limit and select an accountability measure for royal red shrimp. On January 30, 2012, the National Marine Fisheries Service implemented regulations developed through a generic annual catch limit and accountability measure amendment to multiple fishery management plans, including the Shrimp Fishery Management Plan. The rule would remove the quota and in-season closure, and increase the annual catch limit. The current accountability measure, which requires in-season monitoring and closure the year following an annual catch limit overage, will remain in effect.

Timetable:

Action	Date	FR Cite
Notice of Availability.	12/24/14	79 FR 77425
NPRM	01/26/15	80 FR 3937
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov.*

RIN: 0648–BE46

66. Amendment 40 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico

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

Abstract: This rule would define distinct private angling and federal for-hire components of the recreational red snapper fishery and allocate red snapper resources between the components of the recreational sector to increase stability for the for-hire component; provide a basis for increased flexibility in future management of the recreational sector; and minimize the chance for recreational quota overruns, which could jeopardize the rebuilding of the red snapper stock. More specifically, this action would define the components of the recreational sector and establish the baseline allocation, how the allocation would be adjusted if membership in the federal for-hire component is voluntary, and recreational season closure provisions for each component.

Timetable:

Action	Date	FR Cite
Notice of Availability.	01/16/15	80 FR 2379
NPRM	01/23/15	80 FR 3541
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:*

727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov.*

RIN: 0648–BE47

67. 2015–2017 Specifications and Management Measures for the Atlantic Mackerel, Squid, and Butterfish Fisheries

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

Abstract: This rule would establish catch levels and associated management measures for the 2015–2017 fishing years for species managed under the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan. More specifically, this action would: Renew status quo quotas on longfin and Illex squids for an additional three years; lower the cap on river herring and shad catch in the mackerel fishery; increase the cap on river herring and shad catch in the mackerel fishery once the mackerel fishery catches more than 10,000 mt tons; lower the Atlantic mackerel quota; substantially increase the butterfish quota; and simplify the controls on butterfish daily trip limits.

Timetable:

Action	Date	FR Cite
NPRM	11/14/14	79 FR 68202
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John K. Bullard, Regional Administrator, Greater Atlantic Region, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930, *Phone:* 978 281–9287, *Email: john.bullard@noaa.gov.*

RIN: 0648–BE49

68. • Framework Adjustment 26 to the Atlantic Sea Scallop Fishery Management Plan (Section 610 Review)

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

Abstract: This rule would set scallop fishery management measures for the 2015 fishing year, including the annual catch limits and annual catch targets for the limited access and limited access general category fleets. In addition, it would adjust the State Waters Exemption Program, allow for vessel monitoring system declaration changes for when vessels return home with product on board; implement a proactive accountability measure to protect flatfish; align two gear measures designed to protect sea turtles; and implement other measures to improve the management of the scallop fishery. Furthermore, aligning the gear designed to protect sea turtles involves modifying regulations to threatened marine species at 50 CFR part 223, so this action will be a joint action with the Endangered Species Act.

Timetable:

Action	Date	FR Cite
NPRM	03/17/15	80 FR 13806
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John K. Bullard, Regional Administrator, Greater Atlantic Region, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930, *Phone:* 978 281–9287, *Email: john.bullard@noaa.gov.*

RIN: 0648–BE68

69. Designation of Critical Habitat for the North Atlantic Right Whale

Legal Authority: 16 U.S.C. 1361 *et seq.;* 16 U.S.C. 1531 *et seq.*

Abstract: The National Marine Fisheries Service (NMFS) proposes to revise the critical habitat designation for the North Atlantic right whale. This proposal would result in a significant expansion of critical habitat in the northeast feeding area (Gulf of Maine-Georges Bank region) and the southeast calving area (Florida to North Carolina) compared to what was designated in 1994 for right whales. NMFS has contacted the Departments of the Navy, Air Force, and Army, as well as the U.S. Coast Guard and the Department of Homeland Security requesting information related to potential national security impacts related to critical habitat designation. Based on information provided, we have concluded that there will be no national security impacts associated with the designation of critical habitat.

Timetable:

Action	Date	FR Cite
NPRM	02/20/15	80 FR 9313
Final Action	02/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Donna Wieting, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427–8400.

RIN: 0648–AY54

70. Revision of Hawaiian Monk Seal Critical Habitat

Legal Authority: 16 U.S.C. 1531 *et seq.*

Abstract: The National Marine Fisheries Service (NMFS) is developing a rule to designate critical habitat for the Hawaiian monk seal in the main and Northwestern Hawaiian Islands. In response to a 2008 petition from the Center for Biological Diversity, Kahea, and the Ocean Conservancy to revise Hawaiian monk seal critical habitat, NMFS published a proposed rule in June 2011 to revise Hawaiian monk seal critical habitat by adding critical habitat in the main Hawaiian Islands and extending critical habitat in the Northwestern Hawaiian Islands. Proposed critical habitat includes both marine and terrestrial habitats (*e.g.,* foraging areas to 500 meter depth, pupping beaches, etc.). To address public comments on the proposed rule, NOAA Fisheries is augmenting its prior economic analysis to better describe the anticipated costs of the designation. NOAA Fisheries is analyzing new tracking data to assess monk seal habitat use in the main Hawaiian Islands. That may lead to some reduction in foraging area critical habitat for the main Hawaiian Islands to better reflect where preferred foraging features may be found.

Timetable:

Action	Date	FR Cite
NPRM	06/02/11	76 FR 32026
Notice of Public Meetings.	07/14/11	76 FR 41446
Other	06/25/12	77 FR 37867
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Donna Wieting, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427–8400.

RIN: 0648–BA81

71. Endangered and Threatened Species: Designation of Critical Habitat for Threatened Lower Columbia River Coho Salmon and Puget Sound Steelhead

Legal Authority: 16 U.S.C. 1531 *et seq.*

Abstract: This action will designate critical habitat for lower Columbia River coho salmon and Puget Sound steelhead, currently listed as threatened species under the Endangered Species Act. The areas proposed for designation include freshwater and estuarine habitat in Oregon and Washington.

Timetable:

Action	Date	FR Cite
NPRM	01/14/13	78 FR 2725
Final Action	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Donna Wieting, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427–8400.

RIN: 0648–BB30

72. Designation of Critical Habitat for the Arctic Ringed Seal

Legal Authority: 16 U.S.C. 1531 *et seq.*

Abstract: The National Marine Fisheries Service published a final rule to list the Arctic ringed seal as a threatened species under the Endangered Species Act (ESA) in December 2012. The ESA requires designation of critical habitat at the time a species is listed as threatened or endangered, or within one year of listing if critical habitat is not then determinable. This rulemaking would designate critical habitat for the Arctic ringed seal. The proposed critical habitat designation would be in the northern Bering, Chukchi, and Beaufort seas within the current range of the species.

Timetable:

Action	Date	FR Cite
NPRM	12/03/14	79 FR 71714
Proposed Rule	12/09/14	79 FR 73010
Notice of public hearings.	01/13/15	80 FR 1618
Comment Period Extended.	02/02/15	80 FR 5498
Final Action	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Donna Wieting, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427–8400.

RIN: 0648–BC56

73. 2015 Annual Determination To Implement the Sea Turtle Observer Requirement

Legal Authority: 16 U.S.C. 1531 *et seq.*

Abstract: Through the Annual Determination, the National Marine Fisheries Service (NMFS) identifies U.S. fisheries operating in the Atlantic Ocean, Gulf of Mexico, and Pacific Ocean that will be required to take observers upon NMFS request, pursuant to its authority under the Endangered Species Act. The purpose of observing identified fisheries is to learn more about sea turtle interactions in a given fishery, evaluate existing measures to prevent or reduce prohibited sea turtle takes, and to determine whether additional measures to implement the prohibition against sea turtle takes may be necessary. Fisheries identified in the 2015 Annual Determination will remain on the Annual Determination for a five-year period and are required to carry observers upon NMFS request until December 31, 2019.

Timetable:

Action	Date	FR Cite
NPRM	10/22/14	79 FR 63066
Final Action	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Donna Wieting, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427–8400.

RIN: 0648–BE35

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Long-Term Actions

National Marine Fisheries Service

74. Comprehensive Fishery Management Plan for Puerto Rico

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

Abstract: This comprehensive Puerto Rico Fishery Management Plan will incorporate, and modify as needed, federal fisheries management measures presently included in each of the existing species-based U.S. Caribbean Fishery Management Plans (Spiny Lobster, Reef Fish, Coral, and Queen Conch Fishery Management Plans) as those measures pertain to Puerto Rico exclusive economic zone waters. The goal of this action is to create a Fishery Management Plan tailored to the specific fishery management needs of Puerto Rico. If approved, this new Puerto Rico Fishery Management Plan, in conjunction with similar comprehensive Fishery Management Plans being developed for St. Croix and St. Thomas/St. John, will replace the Spiny Lobster, Reef Fish, Coral and Queen Conch Fishery Management Plans presently governing the commercial and recreational harvest in U.S. Caribbean exclusive economic zone waters.

Timetable:

Action	Date	FR Cite
NPRM	12/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov.*

RIN: 0648–BD32

75. Comprehensive Fishery Management Plan for St. Croix

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

Abstract: This comprehensive St. Croix Fishery Management Plan will incorporate, and modify as needed, federal fisheries management measures presently included in each of the existing species-based U.S. Caribbean Fishery Management Plans (Spiny Lobster, Reef Fish, Coral, and Queen Conch Fishery Management Plans) as those measures pertain to St. Croix exclusive economic zone waters. The goal of this action is to create a Fishery Management Plan tailored to the specific fishery management needs of St. Croix. If approved, this new St. Croix Fishery Management Plan, in conjunction with similar comprehensive Fishery Management Plans being developed for Puerto Rico and St. Thomas/St. John, will replace the Spiny Lobster, Reef Fish, Coral and Queen Conch Fishery Management Plans presently governing the commercial and recreational harvest in U.S. Caribbean exclusive economic zone waters.

Timetable:

Action	Date	FR Cite
NPRM	12/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov.*

RIN: 0648–BD33

76. Comprehensive Fishery Management Plan for St. Thomas/St. John

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

Abstract: This comprehensive St. Thomas/St. John Fishery Management Plan will incorporate, and modify as needed, federal fisheries management measures presently included in each of the existing species-based U.S. Caribbean Fishery Management Plans

(Spiny Lobster, Reef Fish, Coral, and Queen Conch Fishery Management Plans) as those measures pertain to St. Thomas/St. John exclusive economic zone waters. The goal of this action is to create a Fishery Management Plan tailored to the specific fishery management needs of St. Thomas/St. John. If approved, this new St. Thomas/St. John Fishery Management Plan, in conjunction with similar comprehensive Fishery Management Plans being developed for St. Croix and Puerto Rico, will replace the Spiny Lobster, Reef Fish, Coral and Queen Conch Fishery Management Plans presently governing the commercial and recreational harvest in U.S. Caribbean exclusive economic zone waters.

Timetable:

Action	Date	FR Cite
NPRM	12/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov.*

RIN: 0648–BD34

77. Designate Critical Habitat for the Hawaiian Insular False Killer Whale Distinct Population Segment

Legal Authority: 16 U.S.C. 1531 *et seq.*

Abstract: The proposed action, if approved, would designate critical habitat for the Hawaiian insular false killer whale distinct population segment, pursuant to section 4 of the Endangered Species Act. Proposed critical habitat would be designated in the main Hawaiian Islands as the Hawaiian insular false killer whales range is restricted from nearshore out to 140 km from the main Hawaiian Islands.

Timetable:

Action	Date	FR Cite
NPRM	04/00/18	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Donna Wieting, *Phone:* 301 427–8400.

RIN: 0648–BC45

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Completed Actions

78. Inner Limit of the Exclusive Economic Zone Under the Magnuson-Stevens Fishery Conservation and Management Act

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

Abstract: This action would define the term ''inner limit of the exclusive economic zone'' under the Magnuson-Stevens Fishery Conservation and Management Act (MSA). The MSA establishes sovereign rights and exclusive management authority over fishery resources of the U.S. Exclusive Economic Zone. The inner limit of the Exclusive Economic Zone is described as a line coterminous with the seaward boundary of each of the coastal states. The National Marine Fisheries Service (NMFS), as well as the U.S. Coast Guard and state partners, enforce Federal fishery regulations on the basis of the 3 nautical mile line (or 9 nautical miles in the case of Texas and the west coast of Florida) as it is represented on the National Oceanic and Atmospheric Administration (NOAA) charts. The use of a 3 nautical mile line has caused confusion when NOAA charts are updated because the baseline for establishing this line is ambulatory. NMFS proposes to clarify/correct this by defining this seaward boundary line to be a line established pursuant to the Submerged Lands Act.

Timetable:

Action	Date	FR Cite
Withdrawn	03/09/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Alan Risenhoover, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13362, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 713–2334, *Fax:* 301 713–0596, *Email: alan.risenhoover@noaa.gov.*

RIN: 0648–BC92

79. Regulatory Amendment 14 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region

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

Abstract: The purpose of Regulatory Amendment 14 was to enhance socioeconomic benefits to fishermen and fishing communities that utilize the snapper-grouper fishery. Specifically, this rulemaking modified the fishing year for greater amberjack, increased the minimum size limit for hogfish, modified the fishing year for black sea bass, changed the commercial fishing season for vermilion snapper, modified the aggregate grouper bag limit, and revised the accountability measures for gag and vermilion snapper. Modifying the accountability measures for gag and vermilion snapper enhances consistency and accuracy in the approach taken when the annual catch limit is met or projected to be met for these species.

Timetable:

Action	Date	FR Cite
Notice	04/17/13	78 FR 22846
Notice	08/02/13	78 FR 46925
NPRM	04/27/14	79 FR 22936
Final Action	11/07/14	79 FR 66316
Final Action Effective.	12/08/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov.*

RIN: 0648–BD07

80. Amendment 105 Bering Sea Flatfish Harvest Specifications Flexibility

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

Abstract: This action was published with the intent to provide additional harvest opportunities to participants in Bering Sea and Aleutian Islands (BSAI) flatfish fisheries while (1) maintaining catch below the annual catch limits for these species and (2) ensuring that the maximum optimum yield for BSAI groundfish fisheries will not be exceeded. Specifically, Amendment 105 to the BSAI Fishery Management Plan established a process for Amendment 80 cooperatives and Western Alaska Community Development Quota groups to exchange harvest quota from one of the three flatfish species for an equivalent amount of quota of another species. In no case could the amount of fish exchanged exceed the annual catch limit, commonly known as the allowable biological catch, of that species. This action modified the annual harvest specification process to allow the North Pacific Fishery Management Council (Council) to establish the maximum amount of harvest quota that can be exchanged for each of the three flatfish species. This process allows the Council to establish a buffer below the allowable biological catch to account for

management or socioeconomic considerations. Each participant can only exchange harvest quota up to three times per year.

Timetable:

Action	Date	FR Cite
Notice	06/13/14	79 FR 33889
NPRM	06/30/14	79 FR 36702
Final Action	09/23/14	79 FR 56671
Final Action Effective.	10/23/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James Balsiger, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586–7221, *Fax:* 907 586–7465, *Email: jim.balsiger@noaa.gov.*

RIN: 0648–BD23

81. International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Restrictions Regarding the Oceanic Whitetip Shark, the Whale Shark, and the Silky Shark

Legal Authority: 16 U.S.C. 6901 *et seq.*

Abstract: This rule established regulations under authority of the Western and Central Pacific Fisheries Convention Implementation Act to implement decisions of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean on fishing restrictions regarding the oceanic whitetip shark and the whale shark. The regulations applied to owners and operators of U.S. fishing vessels used for commercial fishing for highly migratory species in the area of application of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention). The regulations for oceanic whitetip sharks prohibited the retention, transshipment, storage, or landing of oceanic whitetip sharks and would require the release of any oceanic whitetip shark as soon as possible after it is caught. The regulations for whale sharks prohibit setting a purse seine on a whale shark and would specify certain measures to be taken and reporting requirements in the event a whale shark is encircled in a purse seine net. This action was necessary for the United States to satisfy its obligations under the Convention, to which it is a Contracting Party.

Timetable:

Action	Date	FR Cite
NPRM	08/22/14	79 FR 49745
Final Action	02/19/15	80 FR 8807
Final Action Effective.	03/23/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Michael Tosatto, Regional Administrator, Pacific Islands Region, Department of Commerce, National Oceanic and Atmospheric Administration, 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818, *Phone:* 808 725–5000, *Email: michael.tosatto@noaa.gov.*

RIN: 0648–BD44

82. Southern New England Effort Controls To Address Lobster Stock Rebuilding Measures

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

Abstract: The National Marine Fisheries Service has made revisions to Federal American lobster regulations intended to assist in rebuilding the Southern New England lobster stock. The measures included trap reductions in Lobster Management Areas 2 and 3, a minimum carapace size increase for Lobster Management Area 3, mandatory v-notching of egg-bearing female lobster in Lobster Management Areas 2, 4, and 5, and seasonal closures in Lobster Management Areas 4, 5, and 6. These actions are recommended for Federal implementation by the Atlantic States Marine Fisheries Commission (Commission). The stock rebuilding measures were recommended by the Commission in consultation with some, but not all, Federal lobster permit holders through associated industry participation on the Commissions Lobster Conservation Management Teams. While this action could limit fishing effort and landings by Federal lobster permit holders in Southern New England, the implemented measures are consistent with those already implemented by the affected states.

Timetable:

Action	Date	FR Cite
ANPRM	08/20/13	78 FR 51131
NPRM	07/25/14	79 FR 43379
Final Action	01/15/15	80 FR 2028
Final Action Effective.	05/01/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John K. Bullard, Regional Administrator, Greater Atlantic Region, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930, *Phone:* 978 281–9287, *Email: john.bullard@noaa.gov.*

RIN: 0648–BD45

83. South Atlantic Coastal Migratory Pelagics Framework Action 2013 (Completion of a Section 610 Review)

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

Abstract: Prior to the publication of this action, in the South Atlantic the transfer of harvested fish at sea was prohibited for any species under a commercial trip limit, and only two gillnets were allowed on a federally permitted Spanish mackerel vessel. In some instances the trip limit may have been exceeded with just one gillnet set, and the excess fish had to be discarded. Most of those discarded fish caught in gillnet gear die due to trauma caused during capture. This Framework Action allows a portion of a gillnet and its contents to be transferred from a vessel that has met the Spanish mackerel trip limit to another vessel that has not yet reached the trip limit. Allowing transfer at sea for federally permitted Spanish mackerel vessels using gillnet gear is intended to reduce dead discards and minimize waste when catch in one net exceeds the trip limit for the vessel. Additionally, the Framework Action modified the commercial trip limits for Atlantic king mackerel in the Florida east coast subzone. The previous system of trip limits could increase the rate of harvest causing the commercial sector to close before Lent, the most lucrative part of the fishing season. Therefore, the trip limit modifications that were implemented through the Framework Action are expected to help minimize lost opportunities to fish and optimize profitability in the king mackerel sector of the coastal migratory pelagics fishery.

Timetable:

Action	Date	FR Cite
NPRM	03/19/14	79 FR 15293
Final Action	11/19/14	79 FR 68802
Final Action Effective.	12/19/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov.*

RIN: 0648–BD58

84. Amendment 96 to the Fishery Management Plan for Groundfish of the Gulf of Alaska To Revise the Community Quota Entity Program

Legal Authority: 16 U.S.C. 1801 *et seq.;* 16 U.S.C. 773 *et seq.*

Abstract: Amendment 96 to the Fishery Management Plan for Groundfish of the Gulf of Alaska modified the halibut and sablefish Individual Fishing Quota Program regulations for management of community quota entities in the Gulf of Alaska. The action revised the Individual Fishing Quota Program by removing a restriction on community quota entities holdings of quota share. Removing this restriction provides community quota entities access to more affordable quota shares, which could enhance the ability of the community quota entities community to realize economic benefits from additional community resident participation in the halibut and sablefish fisheries.

Timetable:

Action	Date	FR Cite
Notice	07/25/14	79 FR 43377
NPRM	08/07/14	79 FR 46237
Final Action	11/07/14	79 FR 66324
Final Action Effective.	12/08/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James Balsiger, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586–7221, *Fax:* 907 586–7465, *Email: jim.balsiger@noaa.gov.*

RIN: 0648–BD74

85. Amendment 20B to the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region

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

Abstract: This rule adjusted trip limits and fishing seasons for zones and subzones of the Gulf migratory group king mackerel. It also allows transit of vessels with king mackerel on board through areas closed to king mackerel fishing and divides the annual catch limit for Atlantic migratory group king and Spanish mackerel into zones. Furthermore, the action addressed the results of the most recent stock assessment for cobia and divides the annual catch limit into zones. The action was needed to achieve optimum yield while ensuring regulations are fair and equitable and fishery resources are utilized efficiently.

Timetable:

Action	Date	FR Cite
Notice of Availability.	10/17/14	79 FR 62410
NPRM	10/31/14	79 FR 64728
Final Rule	01/27/15	80 FR 4216
Final Action—Correction Notice.	02/25/15	80 FR 10007
Final Action Effective.	03/01/15	

Regulatory Flexibility Analysis Required: No.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov.*

RIN: 0648–BD86

86. Temporary Rule Through Emergency Action To Revise Annual Catch Limits and Accountability Measures for Blueline Tilefish and the Deep-Water Complex in the South Atlantic Region

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

Abstract: In October 2013, the National Marine Fisheries Service (NMFS) determined the blueline tilefish stock in the South Atlantic was experiencing overfishing and is overfished. As mandated by Magnuson-Stevens Fishery Conservation and Management Act, NMFS and the Council prepared and implemented a plan amendment and regulations to end overfishing immediately and rebuild the stock by December 6, 2015. The Council and NMFS, through actions in a future amendment, plan to implement a rebuilding plan and management actions to end overfishing and rebuild the blueline tilefish stock. In the interim, NMFS published an emergency rule to implement temporary annual catch limits and accountability measures for blueline tilefish and modify the current annual catch limits and accountability measures for the deep-water complex. The goal of this action was to minimize future adverse biological effects to the blueline tilefish stock and the socio-economic effects to fishermen and fishing communities that utilize the blueline tilefish while a permanent rulemaking designed to end overfishing and rebuild the stock is developed.

Timetable:

Action	Date	FR Cite
Emergency Rule	04/17/14	79 FR 21636
Final Action	10/10/14	79 FR 61262
Final Action Effective.	10/10/14	

Regulatory Flexibility Analysis Required: No.

Agency Contact: Roy E. Crabtree, Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 263 13th Avenue South, St. Petersburg, FL 33701, *Phone:* 727 824–5305, *Fax:* 727 824–5308, *Email: roy.crabtree@noaa.gov.*

RIN: 0648–BD87

87. Framework Adjustment 3 to the Atlantic Herring Fishery Management Plan

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

Abstract: The goal of Framework Adjustment 3 to the Atlantic Herring Fishery Management Plan (Framework 3) was to establish a process for setting and specifying river herring (alewife and blueback) and shad (American and hickory) catch caps for the herring fishery to provide an incentive for herring vessels to continue to avoid river herring and shad and reduce river herring and shad catch to the extent practicable; enhance coordination with the Mid-Atlantic Council to address overlapping fisheries; and promote flexibility to adjust the catch cap(s) in the future as more information becomes available.

Timetable:

Action	Date	FR Cite
NPRM	06/13/14	79 FR 33879
Final Action	12/04/14	79 FR 71960
Final Action Effective.	12/04/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John K. Bullard, Regional Administrator, Greater Atlantic Region, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930, *Phone:* 978 281–9287, *Email: john.bullard@noaa.gov.*

RIN: 0648–BE01

88. Steller Sea Lion Protection Measures for the Bering Sea and Aleutian Islands Groundfish Fisheries Off Alaska

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

Abstract: This rule revised the Atka mackerel, Pacific cod, and pollock fisheries in the Aleutian Islands subarea to ensure that the Alaska groundfish

fisheries are not likely to cause jeopardy of extinction or adverse modification or destruction of designated critical habitat for the endangered western distinct population segment of Steller sea lions. This rule revised fishery closures, season dates, and harvest restrictions, and included a 3-nautical mile closure to groundfish fishing around Kanaga Island/Ship Rock rookery. This action is designed to minimize the economic impact of fishery management measures. This rulemaking will increase industry access to the fishery resources from the status quo while continuing to protect the Steller sea lion population.

Timetable:

Action	Date	FR Cite
NPRM	07/01/14	79 FR 37485
Final Action	11/25/14	79 FR 70285
Final Action Effective.	12/26/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James Balsiger, Regional Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, 709 West Ninth Street, Juneau, AK 99801, *Phone:* 907 586–7221, *Fax:* 907 586–7465, *Email: jim.balsiger@noaa.gov.*

RIN: 0648–BE06

89. Implement 2015–2017 Tilefish Specifications

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

Abstract: The National Marine Fisheries Service implemented specifications for the tilefish fishery for fishing years 2015–2017. The Mid-Atlantic Fishery Management Council recommended commercial quotas of 796 mt for fishing year 2015 and 856 mt for fishing years 2016 and 2017. The 2015 quota represents a 12 percent reduction from the commercial quota that has been used in this fishery from 2001–2014. While the fishery is not experiencing overfishing and was recently declared rebuilt, the reduction in the commercial quota is the result of an improved stock assessment and the Council's conservative risk policy in setting the acceptable biological catch limit.

Timetable:

Action	Date	FR Cite
NPRM	09/03/14	79 FR 52293
Final Action	10/29/14	79 FR 64330
Final Action Effective.	11/01/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John K. Bullard, Regional Administrator, Greater Atlantic Region, Department of Commerce, National Oceanic and Atmospheric Administration, 55 Great Republic Drive, Gloucester, MA 01930, *Phone:* 978 281–9287, *Email: john.bullard@noaa.gov.*

RIN: 0648–BE37

90. Marine Mammal Protection Act Permit Regulation Revisions

Legal Authority: 16 U.S.C. 1374.

Abstract: This action would consider revisions to the implementing regulations governing the issuance of permits for activities under section 104 of the Marine Mammal Protection Act. The intent of this action would be to streamline and update (using plain language) the general permitting information and the specific requirements for the four categories of permits: scientific research (including the General Authorization); enhancement; educational and commercial photography; and public display. The revisions would also simplify procedures for collection, possession, and transfer of marine mammals parts collected before the effective date of the Marine Mammal Protection Act, and also clarify reporting requirements for public display facilities holding marine mammals.

Timetable:

Action	Date	FR Cite
ANPRM	09/13/07	72 FR 52339
Final Action—ANPR Comment Period Extended.	10/15/07	72 FR 58279
ANPRM Comment Period End.	11/13/07	72 FR 52339
ANPRM Comment Period End.	12/13/07	72 FR 58279

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Donna Wieting, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427–8400.

RIN: 0648–AV82

91. Designation of Critical Habitat for the Beringia Distinct Population Segment of the Bearded Seal

Legal Authority: 16 U.S.C. 1531 *et seq.*

Abstract: The National Marine Fisheries Service published a final rule to list the Beringia Distinct Population Segment (DPS) of the bearded seal as a threatened species under the Endangered Species Act (ESA) in December 2012. The ESA requires designation of critical habitat at the time a species is listed as threatened or endangered, or within one year of listing if critical habitat is not then determinable. This rulemaking would designate critical habitat for the Beringia DPS of the bearded seal. The proposed critical habitat designation would be in the northern Bering, Chukchi, and Beaufort seas within the current range of the species.

Timetable:

Action	Date	FR Cite
Withdrawn	03/10/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Donna Wieting, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427–8400.

RIN: 0648–BC55

92. Designation of Critical Habitat for the Distinct Population Segments of Yelloweye Rockfish, Canary Rockfish, and Bocaccio

Legal Authority: 16 U.S.C. 1531 *et seq.*

Abstract: This action designated critical habitat under the Endangered Species Act for three Distinct Population Segments of rockfish in the Puget Sound/Georgia Basin: (1) The threatened Distinct Population Segments of yelloweye rockfish; (2) the threatened Distinct Population Segments of canary rockfish; and (3) the endangered Distinct Population Segments of Bocaccio.

Timetable:

Action	Date	FR Cite
NPRM	08/06/13	78 FR 47635
Final Rule	11/13/14	79 FR 68041
Final Action Effective.	02/11/15	80 FR 7977
Final Action—Correcting Amendment.	02/13/15	80 FR 7977

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Donna Wieting, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, *Phone:* 301 427–8400.

RIN: 0648–BC76

[FR Doc. 2015–14504 Filed 6–17–15; 8:45 am]

BILLING CODE 3510–12–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part V

Department of Defense

Unified Regulatory Agenda

DEPARTMENT OF DEFENSE

32 CFR Chs. I, V, VI, and VII

33 CFR Ch. II

36 CFR Ch. III

48 CFR Ch. II

Improving Government Regulations; Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Department of Defense (DoD).

ACTION: Semiannual regulatory agenda.

SUMMARY: The Department of Defense (DoD) is publishing this semiannual agenda of regulatory documents, including those that are procurement-related, for public information and comments under Executive Order 12866 ''Regulatory Planning and Review.'' This agenda incorporates the objective and criteria, when applicable, of the regulatory reform program under the Executive order and other regulatory guidance. It contains DoD issuances initiated by DoD components that may have economic and environmental impact on State, local, or tribal interests under the criteria of Executive Order 12866. Although most DoD issuances listed in the agenda are of limited public impact, their nature may be of public interest, and therefore, they are published to provide notice of rulemaking and an opportunity for public participation in the internal DoD rulemaking process. Members of the public may submit comments on individual proposed and interim final rulemakings at *www.regulations.gov* during the comment period that follows publication in the **Federal Register**.

This agenda updates the report published on November 21, 2014, and includes regulations expected to be issued and under review over the next 12 months. The next agenda is scheduled to be published in the fall of 2015. In addition to this agenda, DoD components also publish rulemaking notices pertaining to their specific statutory administration requirements as required.

The complete Unified Agenda will be available online at *www.reginfo.gov.*

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), the Department of Defense's printed agenda entries include only:

(1) Rules that are in the Agency's regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and

(2) any rules that the Agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's agenda requirements. Additional information on these entries is in the Unified Agenda available online.

FOR FURTHER INFORMATION CONTACT: For information concerning the overall DoD regulatory improvement program, and for general semiannual agenda information, contact Ms. Patricia Toppings: Telephone 571–372–0485, write to Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 4800 Mark Center Drive, Alexandria, VA 22350, or email *patricia.l.toppings.civ@mail.mil*.

For questions of a legal nature concerning the agenda and its statutory requirements or obligations, write to Office of the General Counsel, 1600 Defense Pentagon, Washington, DC 20301–1600, or call 703–697–2714.

For general information on Office of the Secretary regulations other than those which are procurement-related, contact Ms. Morgan Park: Telephone 571–372–0489, write to Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 4800 Mark Center Drive, Alexandria, VA 22350, or email *morgan.e.park.civ@mail.mil*.

For general information on Office of the Secretary agenda items which are procurement-related, contact Mr. Manuel Quinones: Telephone 571–372–6088, write to Defense Acquisition Regulations Directorate, 4800 Mark Center Drive, Suite15D07–2, Alexandria, VA 22350, or email *manuel.quinones.civ@mail.mil*.

For general information on Department of the Army regulations, contact Ms. Brenda Bowen: Telephone 703–428–6173, write to the U.S. Army Records Management and Declassification Agency, ATTN: AAHS–RDR–C, Casey Building, Room 102, 7701 Telegraph Road, Alexandria, Virginia 22315–3860, or email *brenda.s.bowen.civ@mail.mil*.

For general information on the U.S. Army Corps of Engineers regulations, contact Mr. Chip Smith: Telephone 703–693–3644, write to Office of the Deputy Assistant Secretary of the Army (Policy and Legislation), 108 Army Pentagon, Room 2E569, Washington, DC 20310–0108, or email *charles.r.smith567.civ@mail.mil.*

For general information on Department of the Navy regulations, contact CDR Noreen Hagerty-Ford: Telephone 703–614–7408, write to Department of the Navy, Office of the Judge Advocate General, Administrative Law Division (Code 13), Washington Navy Yard, 1322 Patterson Avenue SE., Suite 3000, Washington, DC 20374–5066, or email *noreen.hagerty-ford@navy.mil*.

For general information on Department of the Air Force regulations, contact Bao-Anh Trinh: Telephone 703–614–8500, write the Office of the Secretary of the Air Force, Chief, Information Dominance/Chief Information Officer (SAF CIO/A6), 1800 Air Force Pentagon, Washington, DC 20330–1800, or email *usaf.pentagon.saf-cio-a6.mbx.af-foia@mail.mil*.

For specific agenda items, contact the appropriate individual indicated in each DoD component report.

SUPPLEMENTARY INFORMATION: This edition of the Unified Agenda of Federal Regulatory and Deregulatory Actions is composed of the regulatory status reports, including procurement-related regulatory status reports, from the Office of the Secretary of Defense (OSD) and the Departments of the Army and Navy. Included also is the regulatory status report from the U.S. Army Corps of Engineers, whose civil works functions fall under the reporting requirements of Executive Order 12866 and involve water resource projects and regulation of activities in waters of the United States.

In addition, this agenda, although published under the reporting requirements of Executive Order 12866, continues to be the DoD single-source reporting vehicle, which identifies regulations that are currently applicable under the various regulatory reform programs in progress. Therefore, DoD components will identify those rules which come under the criteria of the:

a. Regulatory Flexibility Act;

b. Paperwork Reduction Act of 1995;

c. Unfunded Mandates Reform Act of 1995.

Those DoD regulations, which are directly applicable under these statutes, will be identified in the agenda and their action status indicated. Generally, the regulatory status reports in this agenda will contain five sections: (1) Prerule stage; (2) proposed rule stage; (3) final rule stage; (4) completed actions; and (5) long-term actions. Where certain regulatory actions indicate that small entities are affected, the effect on these entities may not necessarily have

significant economic impact on a substantial number of these entities as defined in the Regulatory Flexibility Act (5 U.S.C. 601(6)).

Although not a regulatory agency, DoD will continue to participate in regulatory initiatives designed to reduce economic costs and unnecessary burdens upon the public. Comments and recommendations are invited on the rules reported and should be addressed to the DoD component representatives identified in the regulatory status reports. Although sensitive to the needs of the public, as well as regulatory reform, DoD reserves the right to exercise the exemptions and flexibility permitted in its rulemaking process in order to proceed with its overall defense-oriented mission. The publishing of this agenda does not waive the applicability of the military affairs exemption in section 553 of title 5 U.S.C. and section 3 of Executive Order 12866. Executive Order 13563 recognizes the importance of maintaining a consistent culture of retrospective review and analysis throughout the executive branch. DoD's retrospective review plan is intended to identify certain significant rules that are obsolete, unnecessary, unjustified, excessively burdensome, or counterproductive and can be accessed at: *http://www.regulations.gov/#!docketDetail;D=DOD-2011-OS-0036.*

Dated: March 18, 2015.

David Tillotson III,

Assistant Deputy Chief Management Officer.

OFFICE OF ASSISTANT SECRETARY FOR HEALTH AFFAIRS—FINAL RULE STAGE

Sequence No.	Title	Regulation identifier No.
93	TRICARE; Reimbursement of Long Term Care Hospitals	0720–AB47

DEPARTMENT OF DEFENSE (DOD)

Office of Assistant Secretary for Health Affairs (DODOASHA)

Final Rule Stage

93. TRICARE; Reimbursement of Long Term Care Hospitals

Legal Authority: 5 U.S.C. 301; 10 U.S.C. ch 55

Abstract: The rule implements the statutory provision in 10 United States Code 1079(j)(2) that TRICARE payment methods for institutional care shall be determined to the extent practicable in accordance with the same reimbursement rules as those that apply to payments to providers of services of the same type under Medicare. This rule implements a reimbursement methodology similar to that furnished to Medicare beneficiaries for services provided by long-term care hospitals.

Timetable:

Action	Date	FR Cite
NPRM	01/26/15	80 FR 3926
NPRM Comment Period End.	03/27/15	
Final Action	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Ann N. Fazzini, Department of Defense, Office of Assistant Secretary for Health Affairs, 1200 Defense Pentagon, Washington, DC 20301, *Phone:* 303 676–3803.

RIN: 0720–AB47

[FR Doc. 2015–14350 Filed 6–17–15; 8:45 am]

BILLING CODE 5001–06–P

FEDERAL REGISTER

Vol. 80 Thursday,

No. 117 June 18, 2015

Part VI

Department of Energy

Unified Agenda

DEPARTMENT OF ENERGY

10 CFR Chs. II, III, and X

48 CFR Ch. 9

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Department of Energy.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Department of Energy (DOE) has prepared and is making available its portion of the semiannual Unified Agenda of Federal Regulatory and Deregulatory Actions (Agenda) pursuant to Executive Order 12866, ''Regulatory Planning and Review,'' and the Regulatory Flexibility Act.

SUPPLEMENTARY INFORMATION: The Agenda is a government-wide compilation of upcoming and ongoing regulatory activity, including a brief description of each rulemaking and a timetable for action. The Agenda also includes a list of regulatory actions completed since publication of the last Agenda. The Department of Energy's portion of the Agenda includes regulatory actions called for by the Energy Independence and Security Act of 2007, the American Energy Manufacturing Technical Corrections Act and programmatic needs of DOE offices.

The Internet is the basic means for disseminating the Agenda and providing users the ability to obtain information from the Agenda database. DOE's Spring 2015 Agenda can be accessed online by going to *www.reginfo.gov.* Agenda entries reflect the status of activities as of approximately May 31, 2015.

Publication in the **Federal Register** is mandated by the Regulatory Flexibility Act (5 U.S.C. 602) only for Agenda entries that require either a regulatory flexibility analysis or periodic review under section 610 of that Act. DOE's regulatory flexibility agenda is made up of five rulemakings setting energy efficiency standards for the following products:

- Automatic Commercial Ice Makers
- Hearth Products
- Commercial Packaged Boilers
- Commercial Warm Air Furnaces
- Single Package Vertical Air Conditioners and Heat Pumps

Steven P. Croley,

General Counsel.

ENERGY EFFICIENCY AND RENEWABLE ENERGY—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
94	Energy Conservation Standards for Commercial Packaged Boilers	1904–AD01
95	Energy Conservation Standards for Hearth Products	1904–AD35

ENERGY EFFICIENCY AND RENEWABLE ENERGY—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
96	Energy Conservation Standards for Single Package Vertical Air Conditioners and Single Package Vertical Heat Pumps.	1904–AC85
97	Energy Conservation Standards for Commercial Warm Air Furnaces	1904–AD11

ENERGY EFFICIENCY AND RENEWABLE ENERGY—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
98	Energy Efficiency Standards for Automatic Commercial Ice Makers	1904–AC39

DEPARTMENT OF ENERGY (DOE)

Energy Efficiency and Renewable Energy (EE)

94. Energy Conservation Standards for Commercial Packaged Boilers

Legal Authority: 42 U.S.C. 6313(a)(6)(C)

Abstract: EPCA, as amended by AEMTCA, requires the Secretary to determine whether updating the statutory energy conservation standards for commercial packaged boilers is technically feasible and economically justified and would save a significant amount of energy. If justified, the Secretary will issue amended energy conservation standards for such equipment.

Timetable:

Action	Date	FR Cite
Notice of Proposed Determination (NOPD).	08/13/13	78 FR 49202
NOPD Comment Period End.	09/12/13	
Public Meeting and Framework Document Availability.	09/03/13	78 FR 54197
Framework Document Comment Period End.	10/18/13	
Preliminary Analysis.	11/20/14	79 FR 69066
Preliminary Analysis Comment Period End.	01/20/15	
NPRM	07/00/15	
Final Action	06/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James Raba, Office of Building Technologies Program, EE–5B, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585, *Phone:* 202 586–8654, *Email: jim.raba@ee.doe.gov.*

RIN: 1904–AD01

95. Energy Conservation Standards for Hearth Products

Legal Authority: 42 U.S.C. 6292(a)(20) and (b); 42 U.S.C. 6295(l)(1)

Abstract: DOE is conducting a rulemaking to analyze potential energy conservation standards for hearth products. DOE is developing this rulemaking concurrent with its coverage determination for these products.

Timetable:

Action	Date	FR Cite
NPRM and Notice of Public Meeting Date 03/23/15.	02/09/15	80 FR 7082
NPRM Comment Period End.	04/10/15	
NPRM Comment Period Extended.	04/13/15	80 FR 19569
NPRM Comment Period Extended End.	05/11/15	
Final Action	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Ashley Armstrong, General Engineer, EE–5B, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585, *Phone:* 202 586–6590, *Email: ashley.armstrong@ee.doe.gov.*

RIN: 1904–AD35

DEPARTMENT OF ENERGY (DOE)

Energy Efficiency and Renewable Energy (EE)

96. Energy Conservation Standards for Single Package Vertical Air Conditioners and Single Package Vertical Heat Pumps

Legal Authority: 42 U.S.C. 6313(a)(6) and (10)

Abstract: This rulemaking amends energy conservation standards for single package vertical air conditioners (SPVAC) and single package vertical heat pumps (SPVHP). The Energy Policy and Conservation Act of 1975 (EPCA), as amended, prescribes energy conservation standards for SPVAC and SPVHP and directs DOE to review those standards in light of the latest industry standards for that equipment. DOE must adopt the latest industry standard unless DOE determines that there is clear and convincing evidence supporting the adoption of more stringent levels.

Timetable:

Action	Date	FR Cite
Notice of Data Availability (NODA).	05/05/11	76 FR 25622
NODA Comment Period End.	06/06/11	
Second Notice of Data Availability.	04/11/14	79 FR 20114
Second NODA Comment Period End.	05/12/14	
NPRM	12/30/14	79 FR 78614
NPRM Comment Period End.	03/02/15	
Final Action	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Ronald B. Majette, Program Manager, Office of Building Technologies Program, EE–5B, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585, *Phone:* 202 586–7935, *Email: ronald.majette@ee.doe.gov.*

RIN: 1904–AC85

97. Energy Conservation Standards for Commercial Warm Air Furnaces

Legal Authority: 42 U.S.C. 6313(a)(6)(C)(i) and (vi)

Abstract: EPCA, as amended by AEMTCA, requires the Secretary to determine whether updating the statutory energy conservation standards for commercial warm air furnaces is technically feasible and economically justified and would save a significant amount of energy. If justified, the Secretary will issue amended energy conservation standards for this type of equipment.

Timetable:

Action	Date	FR Cite
Request for Information (RFI).	05/02/13	78 FR 25627
RFI Comment Period End.	06/03/13	
NPRM	02/04/15	80 FR 6182
NPRM Comment Period End.	04/06/15	
Final Action	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John Cymbalsky, Office of Building Technologies Program, EE–5B, Department of Energy, Energy Efficiency and Renewable Energy, 1000 Independence Avenue SW., Washington, DC 20585, *Phone:* 202 287–1692, *Email: john.cymbalsky@ee.doe.gov.*

RIN: 1904–AD11

DEPARTMENT OF ENERGY (DOE)

Energy Efficiency and Renewable Energy (EE)

98. Energy Efficiency Standards for Automatic Commercial Ice Makers

Legal Authority: 42 U.S.C. 6313(d)(2) and (3).

Abstract: EPCA, as amended by EPACT 2005, requires the Secretary to determine whether updating the statutory standards for automatic commercial ice makers is technologically feasible and economically justified. Such a determination was made and a rule was issued for automatic ice makers.

Completed:

Reason	Date	FR Cite
Notice of Data Availability; Request for Comment End.	10/14/14	
Final Action	01/28/15	80 FR 4646
Final Action Effective.	03/30/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John Cymbalsky, *Phone:* 202 287–1692, *Email: john.cymbalsky@ee.doe.gov.*

RIN: 1904–AC39

[FR Doc. 2015–14351 Filed 6–17–15; 8:45 am]

BILLING CODE 6450–01–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part VII

Department of Health and Human Services

Unified Agenda

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

21 CFR Ch. I

25 CFR Ch. V

42 CFR Chs. I–V

45 CFR Subtitle A; Subtitle B, Chs. II, III, and XIII

Regulatory Agenda

AGENCY: Office of the Secretary, HHS.

ACTION: Semiannual Regulatory Agenda.

SUMMARY: The Regulatory Flexibility Act of 1980 and Executive Order (E.O.) 12866 require the semiannual issuance of an inventory of rulemaking actions under development throughout the Department, offering for public review summarized information about forthcoming regulatory actions.

FOR FURTHER INFORMATION CONTACT: C'Reda J. Weeden, Executive Secretary, Department of Health and Human Services, 200 Independence Avenue SW., Washington, DC 20201; (202) 690–5627.

SUPPLEMENTARY INFORMATION: The Department of Health and Human Services (HHS) is the Federal government's lead agency for protecting the health of all Americans and providing essential human services, especially for those who are least able to help themselves. HHS enhances the health and well-being of Americans by promoting effective health and human services and by fostering sound, sustained advances in the sciences underlying medicine, public health, and social services.

This Agenda presents the rulemaking activities that the Department expects to undertake this year to advance this mission. The Agenda furthers several Departmental goals, including strengthening health care; advancing scientific knowledge and innovation; advancing the health, safety, and well-being of the American people; increasing efficiency, transparency, and accountability of HHS programs; and strengthening the nation's health and human services infrastructure and workforce.

In the rules outlined for this Agenda, HHS continues its work to build a better, smarter, and stronger health care delivery system. Our aspiration is for patients to receive higher quality of care, for medical information to be easy to understand, and for health care dollars to be spent more wisely. We welcome the opportunity to build a more transparent health care delivery system and strengthen partnerships with patients, physicians, governments, and businesses. We continue our work by helping more people get and keep health insurance coverage and making health care more affordable for working families.

In addition, HHS strives to lead in the advancement of scientific knowledge and innovation to enable our nation's scientists and researchers to continue making new and improved vaccines, cures, therapies, and rapid diagnostics. The accompanying regulations promote advancements in science, research, and innovation to attract the best experts to accelerate cures; reduce administrative burdens and duplication; and promote data sharing to protect the health of the American people.

HHS has an agency-wide effort to support the Agenda's purpose of encouraging more effective public participation in the regulatory process and promote increase transparency to the public regarding our regulatory activity. For example, to encourage public participation, we regularly update our regulatory Web page (*http://www.HHS.gov/regulations*) which includes links to HHS rules currently open for public comment, and also provides a ''regulations toolkit'' with background information on regulations, the commenting process, how public comments influence the development of a rule, and how the public can provide effective comments. HHS also actively encourages meaningful public participation in its retrospective review of regulations, through a comment form on the HHS retrospective review Web page (*http://www.HHS.gov/RetrospectiveReview*).

The rulemaking abstracts included in this paper issue of the **Federal Register** cover, as required by the Regulatory Flexibility Act of 1980, those prospective HHS rulemakings likely to have a significant economic impact on a substantial number of small entities. The Department's complete Regulatory Agenda is accessible online at *http://www.Reglnfo.gov.*

C'Reda J. Weeden,

Executive Secretary to the Department.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
99	SAMHSA User Fees for Publications	0930–AA18

FOOD AND DRUG ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
100	Over-the-Counter (OTC) Drug Review—Cough/Cold (Antihistamine) Products	0910–AF31
101	Over-the-Counter (OTC) Drug Review—Topical Antimicrobial Drug Products	0910–AF69
102	Abbreviated New Drug Applications and 505(b)(2)	0910–AF97
103	Updated Standards for Labeling of Pet Food	0910–AG09
104	Electronic Distribution of Prescribing Information for Human Prescription Drugs Including Biological Products.	0910–AG18
105	Requirements for the Testing and Reporting of Tobacco Product Constituents, Ingredients, and Additives	0910–AG59
106	Format and Content of Reports Intended to Demonstrate Substantial Equivalence	0910–AG96
107	Food Labeling; Gluten-Free Labeling of Fermented, Hydrolyzed, or Distilled Foods	0910–AH00
108	Radiology Devices; Designation of Special Controls for the Computed Tomography X-Ray System	0910–AH03
109	Mammography Quality Standards Act; Regulatory Amendments	0910–AH04
110	Investigational New Drug Application Annual Reporting	0910–AH07
111	General and Plastic Surgery Devices: Sunlamp Products	0910–AH14
112	Requirements for Tobacco Product Manufacturing Practice	0910–AH22

FOOD AND DRUG ADMINISTRATION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier no.
113	Requirements for Foreign and Domestic Establishment Registration and Listing for Human Drugs, Including Drugs That Are Regulated Under a Biologics License Application, and Animal Drugs.	0910–AA49
114	Food Labeling; Revision of the Nutrition and Supplement Facts Labels	0910–AF22
115	Food Labeling: Serving Sizes of Foods That Can Reasonably Be Consumed At One-Eating Occasion; Dual-Column Labeling; Updating, Modifying, and Establishing Certain RACCs.	0910–AF23
116	Laser Products; Amendment to Performance Standard	0910–AF87
117	Current Good Manufacturing Practice and Hazard Analysis and Risk-Based Preventive Controls for Food for Animals.	0910–AG10
118	Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption	0910–AG35
119	Current Good Manufacturing and Hazard Analysis, and Risk-Based Preventive Controls for Human Food	0910–AG36
120	''Tobacco Products'' Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act.	0910–AG38
121	Human Subject Protection; Acceptance of Data From Clinical Investigations for Medical Devices	0910–AG48
122	Foreign Supplier Verification Program	0910–AG64
123	Supplemental Applications Proposing Labeling Changes for Approved Drugs and Biological Products	0910–AG94
124	Veterinary Feed Directive	0910–AG95
125	Sanitary Transportation of Human and Animal Food	0910–AG98

FOOD AND DRUG ADMINISTRATION—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
126	Focused Mitigation Strategies To Protect Food Against Intentional Adulteration	0910–AG63

FOOD AND DRUG ADMINISTRATION—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
127	Content and Format of Labeling for Human Prescription Drugs and Biologics; Requirements for Pregnancy and Lactation Labeling.	0910–AF11
128	Food Labeling: Calorie Labeling of Articles of Food Sold in Vending Machines	0910–AG56
129	Food Labeling: Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments.	0910–AG57

CENTERS FOR MEDICARE & MEDICAID SERVICES—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
130	Reform of Requirements for Long-Term Care Facilities (CMS–3260–P) **(Rulemaking Resulting From a Section 610 Review)**.	0938–AR61
131	Electronic Health Record (EHR) Incentive Programs—Stage 3 (CMS–3310–F) **(Section 610 Review)**	0938–AS26
132	Medicare Clinical Diagnostic Laboratory Test Payment System (CMS–1621–P) **(Section 610 Review)**	0938–AS33
133	CY 2016 Revisions to Payment Policies Under the Physician Fee Schedule and Other Revisions to Medicare Part B (CMS–1631–P).	0938–AS40
134	Hospital Inpatient Prospective Payment System for Acute Care Hospitals and the Long-Term Care Hospital Prospective Payment System and FY 2016 Rates (CMS–1632–F).	0938–AS41
135	CY 2016 Hospital Outpatient PPS Policy Changes and Payment Rates and Ambulatory Surgical Center Payment System Policy Changes and Payment Rates (CMS–1633–P).	0938–AS42
136	FY 2016 Inpatient Rehabilitation Facility Prospective Payment System (CMS–1624–F) **(Section 610 Review)**.	0938–AS45
137	Electronic Health Record Incentive Program—Modifications to Meaningful Use in 2015 through 2017 (CMS–3311–F) **(Section 610 Review)**.	0938–AS58

CENTERS FOR MEDICARE & MEDICAID SERVICES—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
138	Covered Outpatient Drugs (CMS–2345–F) **(Section 610 Review)**	0938–AQ41

CENTERS FOR MEDICARE & MEDICAID SERVICES—LONG-TERM ACTIONS

Sequence No.	Title	Regulation identifier No.
139	Home Health Agency Conditions of Participation (CMS–3819–F) **(Rulemaking Resulting From a Section 610 Review)**.	0938–AG81
140	Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers (CMS–3178–F) **(Section 610 Review)**.	0938–AO91
141	Medicare Shared Savings Program; Accountable Care Organizations (CMS–1461–F) **(Section 610 Review)**.	0938–AS06
142	Hospital and Critical Access Hospital (CAH) Changes to Promote Innovation, Flexibility, and Improvement in Patient Care (CMS–3295–P) **(Rulemaking Resulting From a Section 610 Review)**.	0938–AS21

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Substance Abuse and Mental Health Services Administration (SAMHSA)

Completed Actions

99. SAMHSA USER FEES FOR PUBLICATIONS

Legal Authority: 31 U.S.C. 9701; 31 U.S.C. 1111; E.O. 8284; E.O. 11541; Pub. L. 113–76

Abstract: SAMSHA is proposing to implement a modest cost recovery program to partially offset the high costs of distributing its materials to the public. This user fee would apply only to over-the-limit'' non-governmental orders. An over the limit'' order is defined as an order that exceeds either the average weight value (3.75 lbs) or the average number of copies (8). The non-governmental orders'' do not include: SAMHSA's Recovery Month bulk orders; orders by SAMHSA staff for meetings or conferences; and orders from .gov'' and .mil'' addresses. Therefore, it is assumed that SAMHSA would not charge shipping for orders by other Federal, State, and local government agencies. The proposed rule would implement recent legislation allowing the funds collected as part of a user fee for publications and data requests to be available to SAMHSA until expended.

Timetable:

Action	Date	FR Cite
Withdrawn	03/19/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brian Altman, Legislative Director, Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, 1 Choke Cherry Road, Rockville, MD 02857, *Phone:* 240 276–2009, *Email: brian.altman@samhsa.gov*.

RIN: 0930–AA18

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Food and Drug Administration (FDA)

Proposed Rule Stage

100. Over-the-Counter (OTC) Drug Review—Cough/Cold (Antihistamine) Products

Legal Authority: 21 U.S.C. 321p; 21 U.S.C. 331; 21 U.S.C. 351 to 353; 21 U.S.C. 355; 21 U.S.C. 360; 21 U.S.C. 371

Abstract: FDA will be proposing a rule to add the common cold indication to certain over-the-counter (OTC) antihistamine active ingredients. This proposed rule is the result of collaboration under the U.S.-Canada Regulatory Cooperation Council (RCC) as part of efforts to reduce unnecessary duplication and differences. This pilot exercise will help determine the feasibility of developing an ongoing mechanism for alignment in review and adoption of OTC drug monograph elements.

Timetable:

Action	Date	FR Cite
Reopening of Administrative Record.	08/25/00	65 FR 51780
Comment Period End.	11/24/00	
NPRM (Amendment) (Common Cold).	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Janice Adams–King, Regulatory Health Project Manager, Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research, WO 22, Room 5416, 10903 New Hampshire Avenue, Silver Spring, MD 20993, *Phone:* 301 796–3713, *Fax:* 301 796–9899, *Email: janice.adams-king@fda.hhs.gov.*

RIN: 0910–AF31

101. Over-the-Counter (OTC) Drug Review—Topical Antimicrobial Drug Products

Legal Authority: 21 U.S.C. 321p; 21 U.S.C. 331; 21 U.S.C. 351 to 353; 21 U.S.C. 355; 21 U.S.C. 360; 21 U.S.C. 371

Abstract: The OTC drug review establishes conditions under which OTC drugs are considered generally recognized as safe and effective, and not misbranded. After a final monograph (*i.e.,* final rule) is issued, only OTC drugs meeting the conditions of the monograph, or having an approved new drug application, may be legally marketed. This action addresses antimicrobial agents in healthcare antiseptic products.

Timetable:

Action	Date	FR Cite
NPRM (Healthcare).	06/17/94	59 FR 31402
Comment Period End.	12/15/95	
NPRM (Consumer Hand Wash Products).	12/17/13	78 FR 76443
NPRM (Healthcare Antiseptic).	05/01/15	80 FR 25166
NPRM Comment Period End.	10/28/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Janice Adams-King, Regulatory Health Project Manager, Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research, WO 22, Room 5416, 10903 New Hampshire Avenue, Silver Spring, MD 20993, *Phone:* 301 796–3713, *Fax:* 301 796–9899, *Email: janice.adams-king@fda.hhs.gov.*

RIN: 0910–AF69

102. Abbreviated New Drug Applications and 505(B)(2)

Legal Authority: Pub. L. 108–173, title XI; 21 U.S.C. 355; 21 U.S.C. 371

Abstract: This proposed rule would make changes to certain procedures for Abbreviated New Drug Applications

and related applications to patent certifications, notice to patent owners and application holders, the availability of a 30-month stay of approval, amendments and supplements, and the types of bioavailability and bioequivalence data that can be used to support these applications.

Timetable:

Action	Date	FR Cite
NPRM	02/06/15	80 FR 6802
NPRM Comment Period Extended.	04/24/15	80 FR 22953
NPRM Comment Period End.	05/07/15	
NPRM Comment Period Extended End.	06/08/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Janice L. Weiner, Senior Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research, WO 51, Room 6268, 10903 New Hampshire Avenue, Silver Spring, MD 20993–0002, *Phone:* 301 796–3601, *Fax:* 301 847–8440, *Email: janice.weiner@fda.hhs.gov.*

RIN: 0910–AF97

103. Updated Standards for Labeling of Pet Food

Legal Authority: 21 U.S.C. 343; 21 U.S.C. 371; Pub. L. 110–85, sec 1002(a)(3)

Abstract: FDA is proposing updated standards for the labeling of pet food that include nutritional and ingredient information, as well as style and formatting standards. FDA is taking this action to provide pet owners and animal health professionals more complete and consistent information about the nutrient content and ingredient composition of pet food products.

Timetable:

Action	Date	FR Cite
NPRM	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William Burkholder, Veterinary Medical Officer, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine, MPN–4, Room 2642, HFV–228, 7519 Standish Place, Rockville, MD 20855, *Phone:* 240 402–5900, *Email: william.burkholder@fda.hhs.gov.*

RIN: 0910–AG09

104. Electronic Distribution of Prescribing Information for Human Prescription Drugs Including Biological Products

Legal Authority: 21 U.S.C. 321; 21 U.S.C. 331; 21 U.S.C. 351; 21 U.S.C. 352; 21 U.S.C. 353; 21 U.S.C. 355; 21 U.S.C. 358; 21 U.S.C. 360; 21 U.S.C. 360b; 21 U.S.C. 360gg to 360ss; 21 U.S.C. 371; 21 U.S.C. 374; 21 U.S.C. 379e; 42 U.S.C. 216; 42 U.S.C. 241; 42 U.S.C. 262; 42 U.S.C. 264

Abstract: This rule would require electronic package inserts for human drug and biological prescription products with limited exceptions, in lieu of paper, which is currently used. These inserts contain prescribing information intended for healthcare practitioners. This would ensure that the information accompanying the product is the most up-to-date information regarding important safety and efficacy issues about these products.

Timetable:

Action	Date	FR Cite
NPRM	12/18/14	79 FR 75506
NPRM Comment Period Extended.	03/09/15	80 FR 12364
NPRM Comment Period End.	03/18/15	
NPRM Comment Period Extended End.	05/18/15	
Final Action	03/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Emily Gebbia, Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research, 10903 New Hampshire Avenue, Building 51, Room 6226, Silver Spring, MD 20993, *Phone:* 240 402–0980, *Email: emily.gebbia@fda.hhs.gov.*

RIN: 0910–AG18

105. Requirements for the Testing and Reporting of Tobacco Product Constituents, Ingredients, and Additives

Legal Authority: 21 U.S.C. 301 *et seq.et seq.;* 21 U.S.C. 387; The Family Smoking Prevention and Tobacco Control Act

Abstract: The Federal Food, Drug, and Cosmetic Act, as amended by the Family Smoking Prevention and Tobacco Control Act, requires the Food and Drug Administration to promulgate regulations that require the testing and reporting of tobacco product constituents, ingredients, and additives, including smoke constituents, that the Agency determines should be tested to protect the public health.

Timetable:

Action	Date	FR Cite
NPRM	02/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Laura Rich, Senior Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Tobacco Products, 10903 New Hampshire Avenue, Building 71, G335, Silver Spring, MD 20993, *Phone:* 877 287–1373, *Email: ctpregulations@fda.hhs.gov.*

RIN: 0910–AG59

106. Format and Content of Reports Intended to Demonstrate Substantial Equivalence

Legal Authority: 21 U.S.C. 387e(j); 21 U.S.C. 387j(a); secs 905(j) and 910(a) of the Federal Food, Drug, and Cosmetic Act

Abstract: This regulation would establish the format and content of reports intended to demonstrate substantial equivalence. This regulation also would provide information as to how the Agency will review and act on these submissions.

Timetable:

Action	Date	FR Cite
NPRM	11/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Annette L. Marthaler, Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Tobacco Products, Document Control Center, Building 71, Room G335, 10903 New Hampshire Avenue, Silver Spring, MD 20993, *Phone:* 877 287–1373, *Fax:* 877 287–1426, Email: *ctpregulations@fda.hhs.gov.*

RIN: 0910–AG96

107. Food Labeling; Gluten-Free Labeling of Fermented, Hydrolyzed, or Distilled Foods

Legal Authority: sec 206 of the Food Allergen Labeling and Consumer Protection Act; 21 U.S.C. 343(a)(1); 21 U.S.C. 321(n); 21 U.S.C. 371(a)

Abstract: This proposed rule would establish requirements concerning compliance for using a ''gluten-free'' labeling claim for those foods for which there is no scientifically valid analytical method available that can reliably detect and accurately quantify the presence of

20 parts per million (ppm) gluten in the food.

Timetable:

Action	Date	FR Cite
NPRM	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Felicia Billingslea, Director, Food Labeling and Standard Staff, Department of Health and Human Services, Food and Drug Administration, Room 4D045, HFS 820, 5100 Paint Branch Parkway, College Park, MD 20740, *Phone:* 240 402–1803, *Fax:* 301 436–2636, *Email: felicia.billingslea@fda.hhs.gov.*

RIN: 0910–AH00

108. Radiaology Devices; Designation of Special Controls for the Computed Tomography X-Ray System

Legal Authority: 21 U.S.C. 360c

Abstract: The proposed rule would establish special controls for the computed tomography (CT) X-ray system. A CT X-ray system is a diagnostic X-ray imaging system intended to produce cross-sectional images of the body through use of a computer to reconstruct an image from the same axial plane taken at different angles. High doses of ionizing radiation can cause acute (deterministic) effects such as burns, reddening of the skin, cataracts, hair loss, sterility, and, in extremely high doses, radiation poisoning. The design of a CT X-ray system should balance the benefits of the device (*i.e.,* the ability of the device to produce a diagnostic quality image) with the known risks (*e.g.,* exposure to ionizing radiation). FDA is establishing proposed special controls, which, when combined with the general controls, would provide reasonable assurance of the safety and effectiveness of a class II CT X-ray system.

Timetable:

Action	Date	FR Cite
NPRM	03/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Erica Blake, Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Devices and Radiological Health, WO 66, Room 4426, 10903 New Hampshire Avenue, Silver Spring, MD 20993, Phone: 301 796–6248, *Fax:* 301 847–8145, Email: *erica.blake@fda.hhs.gov.*

RIN: 0910–AH03

109. Mammography Quality Standards Act; Regulatory Amendments

Legal Authority: 21 U.S.C. 360i; 21 U.S.C. 360nn; 21 U.S.C. 374(e); 42 U.S.C. 263b

Abstract: FDA is proposing to amend its regulations governing mammography. The amendments would update the regulations issued under the Mammography Quality Standards Act of 1992 (MQSA). FDA is taking this action to address changes in mammography technology and mammography processes, such as breast density reporting, that have occurred since the regulations were published in 1997.

Timetable:

Action	Date	FR Cite
NPRM	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Nancy Pirt, Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Devices and Radiological Health, WO 66, Room 4438, 10903 New Hampshire Avenue, Silver Spring, MD 20993, Phone: 301 796–6248, *Fax:* 301 847–8145, Email: *nancy.pirt@fda.hhs.gov.*

RIN: 0910–AH04

110. Investigational New Drug Application Annual Reporting

Legal Authority: 21 U.S.C. 355(i); 21 U.S.C. 371(a); 42 U.S.C. 262(a)

Abstract: This proposed rule would revise the requirements concerning annual reports submitted to investigational new drug applications (INDs) by replacing the current annual reporting requirement with a requirement that is generally consistent with the format, content, and timing of submission of the development safety update report devised by the International Conference on Harmonization of Technical Requirements for Registration of Pharmaceuticals for Human Use (ICH).

Timetable:

Action	Date	FR Cite
NPRM	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Peter A. Taschenberger, Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, 10903 New Hampshire Avenue, Building 51, Room 6312, Silver Spring, MD 20993, Phone: 301 796–0018, *Fax:* 301 847–3529, Email: *peter.taschenberger@fda.hhs.gov.*

RIN: 0910–AH07

111. General and Plastic Surgery Devices: Sunlamp Products

Legal Authority: 21 U.S.C. 360j(e)

Abstract: This proposed rule would apply device restrictions to sunlamp products.

Timetable:

Action	Date	FR Cite
NPRM	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Paul Gadiock, Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Devices and Radiological Health, 10903 New Hampshire Avenue, W0–66, Room 4432, Silver Spring, MD 20993–0002, Phone: 301 796–5736, *Fax:* 301 847–8145, Email: *paul.gadiock@fda.hhs.gov.*

RIN: 0910–AH14

112. • Requirements for Tobacco Product Manufacturing Practice

Legal Authority: 21 U.S.C. 371; 21 U.S.C. 387b; 21 U.S.C. 387f

Abstract: FDA is proposing requirements that govern the methods used in, and the facilities and controls used for, the pre-production design validation, manufacture, packing, and storage of tobacco products.

Timetable:

Action	Date	FR Cite
ANPRM	03/19/13	78 FR 16824
ANPRM Comment Period End.	05/20/13	
NPRM	02/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Darin Achilles, Senior Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, 10903 New Hampshire Avenue, Document Control Center, Building 71, Room G335, Silver Spring, MD 20993, Phone: 877 287–1373, *Fax:* 301 595–1426, Email: *ctpregulations@fda.hhs.gov.*

RIN: 0910–AH22

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Food and Drug Administration (FDA)

Final Rule Stage

113. Requirements for Foreign and Domestic Establishment Registration and Listing for Human Drugs, Including Drugs That are Regulated Under A Biologics License Application, and Animal Drugs

Legal Authority: 21 U.S.C. 321 and 331; 21 U.S.C. 351 to 353; 21 U.S.C. 355 to 356c; 21 U.S.C. 360 and 360b; 21 U.S.C. 360c to 360f; 21 U.S.C. 360h to 360j; 21 U.S.C. 371 and 374; 21 U.S.C. 379e and 381; 21 U.S.C. 393; 15 U.S.C. 1451 to 1561; 42 U.S.C. 262 and 264; 42 U.S.C. 271

Abstract: The rule will reorganize, consolidate, clarify, and modify current regulations concerning who must register establishments and list human drugs, including certain biological drugs, and animal drugs. These regulations contain information on when, how, and where to register drug establishments and list drugs, and what information must be submitted. They also address National Drug Codes.

Timetable:

Action	Date	FR Cite
NPRM	08/29/06	71 FR 51276
NPRM Comment Period End.	02/26/07	
Final Action	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: David Joy, Senior Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, WO 51, Room 6254, 10903 New Hampshire Avenue, Silver Spring, MD 20993, Phone: 301 796–2242, Email: *david.joy@fda.hhs.gov.*

RIN: 0910–AA49

114. Food Labeling; Revision of the Nutrition and Supplement Facts Labels

Legal Authority: 21 U.S.C. 321; 21 U.S.C. 343; 21 U.S.C. 371

Abstract: FDA is amending the labeling regulations for conventional foods and dietary supplements to provide updated nutrition information on the label to assist consumers in maintaining healthy dietary practices. This rule will modernize the nutrition information found on the Nutrition Facts label, as well as the format and appearance of the label.

Timetable:

Action	Date	FR Cite
ANPRM	07/11/03	68 FR 41507
ANPRM Comment Period End.	10/09/03	
Second ANPRM	04/04/05	70 FR 17008
Second ANPRM Comment Period End.	06/20/05	
Third ANPRM	11/02/07	72 FR 62149
Third ANPRM Comment Period End.	01/31/08	
NPRM	03/03/14	79 FR 11879
NPRM Comment Period End.	06/02/14	
Final Action	03/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Blakeley Fitzpatrick, Interdisciplinary Scientist, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition (HFS–830), HFS–830, 5100 Paint Branch Parkway, College Park, MD 20740, Phone: 240 402–5429, Email: *nutritionprogramstaff@fda.hhs.gov.*

RIN: 0910–AF22

115. Food Labeling: Serving Sizes of Foods That Can Reasonably Be Consumed at One-Eating Occasion; Dual-Column Labeling; Updating, Modifying, and Establishing Certain RACCS

Legal Authority: 21 U.S.C. 321; 21 U.S.C. 343; 21 U.S.C. 371; Pub. L. 101–535, sec 2(b)(1)(A)

Abstract: FDA is amending its labeling regulations for foods to provide updated Reference Amounts Customarily Consumed (RACCs) for certain food categories. This rule would provide consumers with nutrition information based on the amount of food that is customarily consumed, which would assist consumers in maintaining healthy dietary practices. In addition to updating certain RACCs, FDA is also amending the definition of single-serving containers; amending the label serving size for breath mints; and providing for dual-column labeling, which would provide nutrition information per serving and per container or unit, as applicable, under certain circumstances.

Timetable:

Action	Date	FR Cite
ANPRM	04/04/05	70 FR 17010
ANPRM Comment Period End.	06/20/05	
NPRM	03/03/14	79 FR 11989
NPRM Comment Period End.	06/02/14	
Final Action	03/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cherisa Henderson, Nutritionist, Department of Health and Human Services, Food and Drug Administration, HFS–830, 5100 Paint Branch Parkway, College Park, MD 20740, Phone: 240 402–5429, *Fax:* 301 436–1191, Email: *nutritionprogramstaff@fda.hhs.gov.*

RIN: 0910–AF23

116. Laser Products; Amendment to Performance Standard

Legal Authority: 21 U.S.C. 360hh to 360ss; 21 U.S.C. 371; 21 U.S.C. 393

Abstract: The regulation will amend the performance standard for laser products to achieve closer harmonization between the current standard and the International Electrotechnical Commission (IEC) standard for laser products and medical laser products. The amendment is intended to update FDA's performance standard to reflect advancements in technology.

Timetable:

Action	Date	FR Cite
NPRM	06/24/13	78 FR 37723
NPRM Comment Period End.	09/23/13	
Final Action	04/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Nancy Pirt, Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Devices and Radiological Health, WO 66, Room 4438, 10903 New Hampshire Avenue, Silver Spring, MD 20993, Phone: 301 796–6248, *Fax:* 301 847–8145, Email: *nancy.pirt@fda.hhs.gov.*

RIN: 0910–AF87

117. Current Good Manufacturing Practice and Hazard Analysis and Risk-Based Preventive Controls for Food for Animals

Legal Authority: 21 U.S.C. 321; 21 U.S.C. 331; 21 U.S.C. 342; 21 U.S.C. 350c; 21 U.S.C. 350d note; 21 U.S.C. 350g; 21 U.S.C. 350g note; 21 U.S.C. 371; 21 U.S.C. 374; 42 U.S.C. 264; 42 U.S.C. 243; 42 U.S.C. 271; * * *

Abstract: This rule establishes requirements for good manufacturing practice, and requires that certain facilities establish and implement hazard analysis and risk-based preventive controls for animal food, including ingredients and mixed animal feed. This action is intended to provide greater assurance that food for all animals, including pets, is safe.

Timetable:

Action	Date	FR Cite
NPRM	10/29/13	78 FR 64736
NPRM Comment Period Extension.	02/03/14	79 FR 6111
NPRM Comment Period End.	02/26/14	
NPRM Comment Period Extension End.	03/31/14	
Supplemental NPRM.	09/29/14	79 FR 58475
Supplemental NPRM Comment Period End.	12/15/14	
Final Rule	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jeanette (Jenny) B. Murphy, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine, Room 2671 (MPN–4, HFV–200), 7519 Standish Place, Rockville, MD 20855, *Phone:* 240 453–6845, *Email: jenny.murphy@fda.hhs.gov.*

RIN: 0910–AG10

118. Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption

Legal Authority: 21 U.S.C. 342; 21 U.S.C. 350h; 21 U.S.C. 371; 42 U.S.C. 264; Pub. L. 111–353 (signed on January 4, 2011)

Abstract: This rule will establish science-based minimum standards for the safe production and harvesting of those types of fruits and vegetables that are raw agricultural commodities for which the Secretary has determined that such standards minimize the risk of serious adverse health consequences or death. The purpose of the rule is to reduce the risk of illness associated with fresh produce.

Timetable:

Action	Date	FR Cite
NPRM	01/16/13	78 FR 3503
NPRM Comment Period End.	05/16/13	
NPRM Comment Period Extended.	04/26/13	78 FR 24692
NPRM Comment Period Extended End.	09/16/13	
NPRM Comment Period Extended.	08/09/13	78 FR 48637
NPRM Comment Period Extended End.	11/15/13	
Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Rule.	08/19/13	78 FR 50358
Notice of Intent To Prepare Environmental Impact Statement for the Proposed Rule Comment Period End.	11/15/13	
NPRM Comment Period Extended.	11/20/13	78 FR 69605
NPRM Comment Period Extended End.	11/22/13	
Environmental Impact Statement for the Proposed Rule; Comment Period Extended.	03/11/14	79 FR 13593
Environmental Impact Statement for the Proposed Rule; Comment Period Extended End.	04/18/14	
Supplemental NPRM.	09/29/14	79 FR 58433
Supplemental NPRM Comment Period End.	12/15/14	
Draft Environmental Impact Statement.	01/14/15	80 FR 1852
Draft Environmental Impact Statement Comment Period End.	03/13/15	
Final Rule	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Samir Assar, Supervisory Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition, Office of Food Safety, 5100 Paint Branch Parkway, College Park, MD 20740, *Phone:* 240 402–1636, *Email: samir.assar@fda.hhs.gov.*

RIN: 0910–AG35

119. Current Good Manufacturing and Hazard Analysis, and Risk-Based Preventive Controls for Human Food

Legal Authority: 21 U.S.C. 342; 21 U.S.C. 371; 42 U.S.C. 264; Pub. L. 111–353 (signed on Jan. 4, 2011)

Abstract: This rule would require a food facility to have and implement preventive controls to significantly minimize or prevent the occurrence of hazards that could affect food manufactured, processed, packed, or held by the facility. This action is intended to prevent or, at a minimum, quickly identify foodborne pathogens before they get into the food supply.

Timetable:

Action	Date	FR Cite
NPRM	01/16/13	78 FR 3646
NPRM Comment Period End.	05/16/13	
NPRM Comment Period Extended.	04/26/13	78 FR 24691
NPRM Comment Period Extended End.	09/16/13	
NPRM Comment Period Extended.	08/09/13	78 FR 48636
NPRM Comment Period Extended End.	11/15/13	
NPRM Comment Period Extended.	11/20/13	78 FR 69604
NPRM Comment Period Extended End.	11/22/13	
Supplemental NPRM.	09/29/14	79 FR 58523
Supplemental NPRM Comment Period End.	12/15/14	
Final Rule	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jenny Scott, Senior Advisor, Department of Health and Human Services, Food and Drug Administration, Office of Food Safety, 5100 Paint Branch Parkway, College Park, MD 20740, *Phone:* 240 402–1488, *Email: jenny.scott@fda.hhs.gov.*

RIN: 0910–AG36

120. ''Tobacco Products'' Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act

Legal Authority: 21 U.S.C. 301 *et seq.;* The Federal Food, Drug, and Cosmetic Act; Pub. L. 111–31; The Family Smoking Prevention and Tobacco Control Act

Abstract: The Family Smoking Prevention and Tobacco Control Act (Tobacco Control Act) provides the Food and Drug Administration (FDA) authority to regulate cigarettes, cigarette tobacco, roll-your-own tobacco, and smokeless tobacco. The Federal Food, Drug, and Cosmetic Act (FD&C Act), as amended by the Tobacco Control Act, permits FDA to issue regulations deeming other tobacco products to be

subject to the FD&C Act. This rule would deem additional products meeting the statutory definition of ''tobacco product'' to be subject to the FD&C Act, and would specify additional restrictions.

Timetable:

Action	Date	FR Cite
NPRM	04/25/14	79 FR 23142
NPRM Comment Period End.	07/09/14	
NPRM Comment Period Extended.	06/24/14	79 FR 35711
NPRM Comment Period End.	08/08/14	
Final Action	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Gerie Voss, Senior Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Tobacco Products, Document Control Center, Building 71, Room G335, 10903 New Hampshire Avenue, Silver Spring, MD 20993, *Phone:* 877 287–1373, *Fax:* 301 595–1426, *Email: ctpregulations@fda.hhs.gov*.

Laura Rich, Senior Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Tobacco Products, 10903 New Hampshire Avenue, Building 71, G335, Silver Spring, MD 20993, *Phone:* 877 287–1373, *Email: ctpregulations@fda.hhs.gov*.

RIN: 0910–AG38

121. Human Subject Protection; Acceptance of Data From Clinical Investigations for Medical Devices

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

Abstract: This rule will amend FDA's regulations on acceptance of data for medical devices to require that clinical investigations submitted in support of a premarket approval application, humanitarian device exemption application, an investigational device exemption application, or a premarket notification submission be conducted in accordance with good clinical practice if conducted outside the United States.

Timetable:

Action	Date	FR Cite
NPRM	02/25/13	78 FR 12664
NPRM Comment Period End.	05/28/13	
Final Action	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Aaliyah K. Eaves, Policy Advisor, Office of the Director, Department of Health and Human Services, Food and Drug Administration, Center for Devices and Radiological Health, WO 66, Room 5422, 10903 New Hampshire Avenue, Silver Spring, MD 20993, *Phone:* 301 796–2948, *Fax:* 301 847–8120, *Email: aaliyah.eaves-leanos@fda.hhs.gov*.

RIN: 0910–AG48

122. Foreign Supplier Verification Program

Legal Authority: 21 U.S.C. 384a; title III, sec 301 of FDA Food Safety Modernization Act; Pub. L. 111–353, establishing sec 805 of the Federal Food, Drug, and Cosmetic Act (FD&C Act)

Abstract: This rule describes what a food importer must do to verify that its foreign suppliers produce food that is as safe as food produced in the United States. FDA is taking this action to improve the safety of food that is imported into the United States.

Timetable:

Action	Date	FR Cite
NPRM	07/29/13	78 FR 45729
NPRM Comment Period End.	11/26/13	
NPRM Comment Period Extended.	11/20/13	78 FR 69602
NPRM Comment Period Extended End.	01/27/14	
Supplemental NPRM.	09/29/14	79 FR 58573
Supplemental NPRM Comment Period End.	12/15/14	
Final Rule	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brian L. Pendleton, Senior Policy Advisor, Department of Health and Human Services, Food and Drug Administration, Office of Policy, WO 32, Room 4245, 10903 New Hampshire Avenue, Silver Spring, MD 20993–0002, *Phone:* 301 796–4614, *Fax:* 301 847–8616, *Email: brian.pendleton@fda.hhs.gov*.

RIN: 0910–AG64

123. Supplemental Applications Proposing Labeling Changes for Approved Drugs and Biological Products

Legal Authority: 21 U.S.C. 321; 21 U.S.C. 331; 21 U.S.C. 352; 21 U.S.C. 353; 21 U.S.C. 355; 21 U.S.C. 371; 42 U.S.C. 262; * * *

Abstract: This rule would amend the regulations regarding new drug applications (NDAs), abbreviated new drug applications (ANDAs), and biologics license applications (BLAs) to revise and clarify procedures for changes to the labeling of an approved drug to reflect certain types of newly acquired information in advance of FDA's review of such change.

Timetable:

Action	Date	FR Cite
NPRM	11/13/13	78 FR 67985
NPRM Comment Period Extended.	12/27/13	78 FR 78796
NPRM Comment Period End.	01/13/14	
NPRM Comment Period Extended End.	03/13/14	
NPRM Comment Period Reopened.	02/18/15	80 FR 8577
NPRM Comment Period Reopened End.	04/27/15	
Final Rule	02/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Janice L. Weiner, Senior Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research, WO 51, Room 6268, 10903 New Hampshire Avenue, Silver Spring, MD 20993–0002, *Phone:* 301 796–3601, *Fax:* 301 847–8440, *Email: janice.weiner@fda.hhs.gov*.

RIN: 0910–AG94

124. Veterinary Feed Directive

Legal Authority: 21 U.S.C. 354; 21 U.S.C. 360b; 21 U.S.C. 360ccc; 21 U.S.C. 360ccc–1; 21 U.S.C. 371

Abstract: The Animal Drug Availability Act created a new category of products called veterinary feed directive (VFD) drugs. This rulemaking is intended to provide for the increased efficiency of the VFD program.

Timetable:

Action	Date	FR Cite
ANPRM	03/29/10	75 FR 15387
ANPRM Comment Period End.	06/28/10	
NPRM	12/12/13	78 FR 75515

Action	Date	FR Cite
NPRM Comment Period End.	03/12/14	
Final Rule	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Sharon Benz, Supervisory Animal Scientist, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine, MPN–4, Room 2648, HFV–220, 7519 Standish Place, Rockville, MD 20855, *Phone:* 240 402–5939, *Email: sharon.benz@fda.hhs.gov*.

RIN: 0910–AG95

125. Sanitary Transportation of Human and Animal Food

Legal Authority: 21 U.S.C. 350e; 21 U.S.C. 373; 21 U.S.C. 331; 21 U.S.C. 342; 21 U.S.C. 371; * * *

Abstract: This rule would establish requirements for parties including shippers, carriers by motor vehicle or rail vehicle, and receivers engaged in the transportation of food, including food for animals, to use sanitary transportation practices to ensure that food is not transported under conditions that may render the food adulterated.

Timetable:

Action	Date	FR Cite
ANPRM	04/30/10	75 FR 22713
ANPRM Comment Period End.	08/30/10	
NPRM	02/05/14	79 FR 7005
NPRM Comment Period Extended.	05/23/14	79 FR 29699
NPRM Comment Period End.	05/31/14	
NPRM Comment Period Extended End.	07/30/14	
Final Rule	03/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Michael E. Kashtock, Supervisory Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition, Office of Food Safety, 5100 Paint Branch Parkway, College Park, MD 20740, *Phone:* 240 402–2022, *Fax:* 301 346–2632, *Email: michael.kashtock@fda.hhs.gov*.

RIN: 0910–AG98

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Food and Drug Administration (FDA)

Long-Term Actions

126. Focused Mitigation Strategies to Protect Food Against Intentional Adulteration

Legal Authority: 21 U.S.C. 331; 21 U.S.C. 342; 21 U.S.C. 350g; 21 U.S.C. 350i; 21 U.S.C. 371; 21 U.S.C. 374; Pub. L. 111–353

Abstract: This rule would require domestic and foreign food facilities that are required to register under the Federal Food, Drug, and Cosmetic Act to address hazards that may be intentionally introduced by acts of terrorism. These food facilities would be required to identify and implement focused mitigation strategies to significantly minimize or prevent significant vulnerabilities identified at actionable process steps in a food operation.

Timetable:

Action	Date	FR Cite
NPRM	12/24/13	78 FR 78014
NPRM Comment Period Extended.	03/25/14	79 FR 16251
NPRM Comment Period End.	03/31/14	
NPRM Comment Period Extended End.	06/30/14	
Final Rule	05/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jody Menikheim, Supervisory General Health Scientist, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition (HFS–005), 5100 Paint Branch Parkway, College Park, MD 20740, *Phone:* 240 402–1864, *Fax:* 301 436–2633, *Email: fooddefense@fda.hhs.gov*.

RIN: 0910–AG63

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Food and Drug Administration (FDA)

Completed Actions

127. Content and Format of Labeling for Human Prescription Drugs and Biologics; Requirements for Pregnancy and Lactation Labeling

Legal Authority: 21 U.S.C. 321; 21 U.S.C. 331; 21 U.S.C. 351 to 353; 21 U.S.C. 355; 21 U.S.C. 358; 21 U.S.C. 360; 21 U.S.C. 360b; 21 U.S.C. 360gg to 360ss; 21 U.S.C. 371; 21 U.S.C. 374; 21 U.S.C. 379e; 42 U.S.C. 216; 42 U.S.C. 241; 42 U.S.C. 262; 42 U.S.C. 264

Abstract: This final rule will amend the content and format of the ''Pregnancy,'' ''Labor and delivery,'' and ''Nursing mothers'' subsections of the ''Use in Specific Populations'' section of regulations regarding the labeling for human prescription drug and biological products to better communicate risks.

Timetable:

Action	Date	FR Cite
NPRM	05/29/08	73 FR 30831
NPRM Comment Period End.	08/27/08	
Final Action	12/04/14	79 FR 72064

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kathy Schreier, Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research, 10903 New Hampshire Ave., WO51, Rm. 6246, Silver Spring, MD 20993, *Phone:* 301 796–3432, *Email: kathy.schreier@fda.hhs.gov*.

RIN: 0910–AF11

128. Food Labeling: Calorie Labeling of Articles of Food Sold in Vending Machines

Legal Authority: 21 U.S.C. 321; 21 U.S.C. 343; 21 U.S.C. 371

Abstract: FDA published a proposed rule to establish requirements for nutrition labeling of certain food items sold in certain vending machines. FDA also proposed the terms and conditions for vending machine operators registering to voluntarily be subject to the requirements. FDA is issuing a final rule, and taking this action to carry out section 4205 of the Patient Protection and Affordable Care Act.

Timetable:

Action	Date	FR Cite
NPRM	04/06/11	76 FR 19238
NPRM Comment Period End.	07/05/11	
Final Action	12/01/14	79 FR 71259

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Daniel Reese, Food Technologist, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition (HFS–820), 5100 Paint Branch Parkway, College Park, MD 20740, *Phone:* 240 402–2126, *Email: daniel.reese@fda.hhs.gov*.

RIN: 0910–AG56

129. Food Labeling: Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments

Legal Authority: 21 U.S.C. 321; 21 U.S.C. 343; 21 U.S.C. 371

Abstract: FDA published a proposed rule in the **Federal Register** to establish requirements for nutrition labeling of standard menu items in chain restaurants and similar retail food establishments. FDA also proposed the terms and conditions for restaurants and similar retail food establishments registering to voluntarily be subject to the Federal requirements. FDA is issuing a final rule, and taking this action to carry out section 4205 of the Patient Protection and Affordable Care Act.

Timetable:

Action	Date	FR Cite
NPRM	04/06/11	76 FR 19192
NPRM Comment Period End.	07/05/11	
Final Action	12/01/14	79 FR 71156

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Daniel Reese, Food Technologist, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition (HFS–820), 5100 Paint Branch Parkway, College Park, MD 20740, *Phone:* 240 402–2126, *Email: daniel.reese@fda.hhs.gov*.

RIN: 0910–AG57

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Centers for Medicare & Medicaid Services (CMS)

Proposed Rule Stage

130. Reform of Requirements for Long-Term Care Facilities (CMS–3260–P) (Rulemaking Resulting From a Section 610 Review)

Legal Authority: Pub. L. 111–148, sec 6102; 42 U.S.C. 263a; 42 U.S.C. 1302; 42 U.S.C. 1395hh; 42 U.S.C. 1395rr

Abstract: This proposed rule would revise the requirements that Long-Term Care facilities must meet to participate in the Medicare and Medicaid programs. These proposed changes are necessary to reflect the substantial advances that have been made over the past several years in the theory and practice of service delivery and safety. These proposals are also an integral part of our efforts to achieve broad-based improvements both in the quality of health care furnished through Federal programs, and in patient safety, while at the same time reducing procedural burdens on providers.

Timetable:

Action	Date	FR Cite
NPRM	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Ronisha Davis, Health Insurance Specialist, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Clinical Standards and Quality, Mail Stop S3–02–01, 7500 Security Boulevard, Baltimore, MD 21244, *Phone:* 410 786–6882, *Email: ronisha.davis@cms.hhs.gov*.

RIN: 0938–AR61

131. Electronic Health Record (EHR) Incentive Programs—Stage 3 (CMS–3310–F) (Section 610 Review)

Legal Authority: Pub. L. 111–5, title IV of Division B

Abstract: This final rule specifies the meaningful use criteria that eligible professionals (EPs), eligible hospitals, and critical access hospitals (CAHs) must meet in order to qualify for Medicare and/or Medicaid electronic health record (EHR) incentive payments and avoid downward payment adjustments under Medicare for Stage 3 of the EHR Incentive Programs. This rule also establishes an EHR reporting period for all providers under a calendar year timeline except for providers in the first year of the Medicaid EHR Incentive Program where states may continue to allow an introductory 90-day period; requires the electronic submission of clinical quality measures (CQMs); creates a single set of meaningful use requirements for Stage 3 which will be optional for providers in 2017 and applicable for all providers beginning in 2018; and ensure privacy and security requirements continue to protect patient health information (PHI).

Timetable:

Action	Date	FR Cite
NPRM	03/30/15	80 FR 16732
NPRM Comment Period End.	05/29/15	
Final Action	03/00/18	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Elizabeth S. Holland, Director, Division of HIT Initiatives, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Clinical Standards and Quality, Mail Stop S2–26–17, 7500 Security Boulevard, Baltimore, MD 21244, *Phone:* 410 786–1309, *Email: elizabeth.holland@cms.hhs.gov*.

RIN: 0938–AS26

132. Medicare Clinical Diagnostic Laboratory Test Payment System (CMS–1621–P) (Section 610 Review)

Legal Authority: Pub. L. 113–93, sec 216

Abstract: This proposed rule would require Medicare payment for clinical laboratory tests to be based on private payor rates beginning January 1, 2017, as required by section 216(a) of the Protecting Access to Medicare Act of 2014.

Timetable:

Action	Date	FR Cite
NPRM	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Valerie Miller, Deputy Director, Division of Ambulatory Services, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Medicare, Mail Stop C4–01–26, 7500 Security Boulevard, Baltimore, MD 21244, *Phone:* 410 786–4535, *Email: valerie.miller@cms.hhs.gov*.

Sarah Harding, Health Insurance Specialist, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Medicare, MS: C4–01–26, 7500 Security Boulevard, Baltimore, MD 21244, *Phone:* 410 786–4535, *Email: sarah.harding@cms.hhs.gov*.

RIN: 0938–AS33

133. CY 2016 Revisions to Payment Policies Under the Physician Fee Schedule and Other Revisions to Medicare Part B (CMS–1631–P)

Legal Authority: Social Security Act, secs 1102, 1871, 1848

Abstract: This annual proposed rule would revise payment polices under the Medicare physician fee schedule, and make other policy changes to payment under Medicare Part B. These changes would apply to services furnished beginning January 1, 2016.

Timetable:

Action	Date	FR Cite
NPRM	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John McInnes, Acting Director, Division of Practitioner Services, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Medicare, MS: C4–01–15, 7500 Security

Boulevard, Baltimore, MD 21244, *Phone:* 410 786–0791, *Email: john.mcinnes@cms.hhs.gov*.

RIN: 0938–AS40

134. Hospital Inpatient Prospective Payment System for Acute Care Hospitals and the Long-Term Care Hospital Prospective Payment System and FY 2016 Rates (CMS–1632–F)

Legal Authority: sec 1886(d) of the Social Security Act

Abstract: This annual final rule revises the Medicare hospital inpatient and long-term care hospital prospective payment systems for operating and capital-related costs. This rule implements changes arising from our continuing experience with these systems.

Timetable:

Action	Date	FR Cite
NPRM	04/30/15	80 FR 24323
NPRM Comment Period End.	06/16/15	
Final Action	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Donald Thompson, Deputy Director, Division of Acute Care, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Medicare, MS: C4–01–26, 7500 Security Boulevard, Baltimore, MD 21244, *Phone:* 410 786–6504, *Email: donald.thompson@cms.hhs.gov*.

RIN: 0938–AS41

135. CY 2016 Hospital Outpatient PPS Policy Changes and Payment Rates and Ambulatory Surgical Center Payment System Policy Changes and Payment Rates (CMS–1633–P)

Legal Authority: Sec 1833 of the Social Security Act

Abstract: This annual proposed rule would revise the Medicare hospital outpatient prospective payment system to implement statutory requirements and changes arising from our continuing experience with this system. The proposed rule describes changes to the amounts and factors used to determine payment rates for services. In addition, the rule proposes changes to the ambulatory surgical center payment system list of services and rates.

Timetable:

Action	Date	FR Cite
NPRM	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Marjorie Baldo, Health Insurance Specialist, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Medicare, MS: C4–03–06, 7500 Security Boulevard, Baltimore, MD 21244, *Phone:* 410 786–4617, *Email: marjorie.baldo@cms.hhs.gov*.

RIN: 0938–AS42

136. FY 2016 Inpatient Rehabilitation Facility Prospective Payment System (CMS–1624–F) (Section 610 Review)

Legal Authority: Social Security Act, sec 1886(j); Pub. L. 106–554; Pub. L. 106–113

Abstract: This annual final rule updates the prospective payment rates for inpatient rehabilitation facilities (IRFs) for fiscal year 2016.

Timetable:

Action	Date	FR Cite
NPRM	04/27/15	80 FR 23332
NPRM Comment Period End.	06/22/15	
Final Action	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Gwendolyn Johnson, Health Insurance Specialist, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Medicare, MS: C5–06–27, 7500 Security Boulevard, Baltimore, MD 21244, *Phone:* 410 786–6954, *Email: gwendolyn.johnson@cms.hhs.gov*.

RIN: 0938–AS45

137. • Electronic Health Record Incentive Program—Modifications to Meaningful Use in 2015 Through 2017 (CMS–3311–F) (Section 610 Review)

Legal Authority: 42 U.S.C. 1302 and 1395hh; Pub. L. 111–5

Abstract: This final rule changes the Medicare and Medicaid Electronic Health Record (EHR) Incentive Program EHR reporting period in 2015 to a 90-day period aligned with the calendar year, and also aligns the reporting period in 2016 with the calendar year. In addition, this rule modifies the patient action measures in the Stage 2 objectives related to patient engagement. Finally, it streamlines the program by removing reporting requirements on measures which have become redundant, duplicative, or topped out through advancements in EHR function and provider performance for Stage 1 and Stage 2 of the Medicare and Medicaid EHR Incentive Programs.

Timetable:

Action	Date	FR Cite
NPRM	04/15/15	80 FR 20346
NPRM Comment Period End.	06/15/15	
Final Action	04/00/18	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Elizabeth S. Holland, Director, Division of HIT Initiatives, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Clinical Standards and Quality, Mail Stop S2–26–17, 7500 Security Boulevard, Baltimore, MD 21244, *Phone:* 410 786–1309, *Email: elizabeth.holland@cms.hhs.gov*.

RIN: 0938–AS58

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Centers for Medicare & Medicaid Services (CMS)

Final Rule Stage

138. Covered Outpatient Drugs (CMS–2345–F) (Section 610 Review)

Legal Authority: Pub. L. 111– 48, secs 2501; Pub. L. 111– 48, 2503; Pub. L. 111– 48, 3301(d)(2); Pub. L. 111–152, sec 1206; Pub. L. 111–8, sec 221

Abstract: This final rule revises requirements pertaining to Medicaid reimbursement for covered outpatient drugs to implement provisions of the Affordable Care Act. This rule also revises other requirements related to covered outpatient drugs, including key aspects of Medicaid coverage, payment, and the drug rebate program.

Timetable:

Action	Date	FR Cite
NPRM	02/02/12	77 FR 5318
NPRM Comment Period End.	04/02/12	
Final Action	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Wendy Tuttle, Health Insurance Specialist, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Medicaid and State Operations, Mail Stop S2–14–26, 7500 Security Boulevard, Baltimore, MD 21244, *Phone:* 410 786–8690, *Email: wendy.tuttle@cms.hhs.gov*.

RIN: 0938–AQ41

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Centers for Medicare & Medicaid Services (CMS)

Long-Term Actions

139. Home Health Agency Conditions of Participation (CMS–3819–F) (Rulemaking Resulting From a Section 610 Review)

Legal Authority: 42 U.S.C. 1302; 42 U.S.C. 1395x; 42 U.S.C. 1395cc(a); 42 U.S.C. 1395hh; 42 U.S.C. 1395bb

Abstract: This final rule revises the existing Conditions of Participation that Home Health Agencies (HHA) must meet to participate in the Medicare program. The new requirements focus on the actual care delivered to patients by HHAs, reflect an interdisciplinary view of patient care, allow HHAs greater flexibility in meeting quality standards, and eliminate unnecessary procedural requirements. These changes are an integral part of our efforts to improve patient safety and achieve broad-based improvements in the quality of care furnished through Federal programs, while at the same time reducing procedural burdens on providers.

Timetable:

Action	Date	FR Cite
NPRM	03/10/97	62 FR 11005
NPRM Comment Period End.	06/09/97	
Second NPRM	10/09/14	79 FR 61163
NPRM Comment Period Extended.	12/01/14	79 FR 71081
Second NPRM Comment Period End.	01/07/15	
Final Action	10/00/17	

Regulatory Flexibility Analysis Required: No.

Agency Contact: Danielle Shearer, Health Insurance Specialist, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Clinical Standards & Quality, MS: S3–02–01, 7500 Security Boulevard, Baltimore, MD 21244, *Phone:* 410 786–6617, *Email: danielle.shearer@cms.hhs.gov.*

RIN: 0938–AG81

140. Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers (CMS–3178–F) (Section 610 Review)

Legal Authority: 42 U.S.C. 1821; 42 U.S.C. 1861ff (3)(B)(i)(ii); 42 U.S.C. 1913(c)(1) et al

Abstract: This rule finalizes emergency preparedness requirements for Medicare and Medicaid participating providers and suppliers to ensure that they adequately plan for both natural and man-made disasters and coordinate with Federal, State, tribal, regional, and local emergency preparedness systems. This rule ensures providers and suppliers are adequately prepared to meet the needs of patients, residents, clients, and participants during disasters and emergency situations.

Timetable:

Action	Date	FR Cite
NPRM	12/27/13	78 FR 79082
NPRM Comment Period Extended.	02/21/14	79 FR 9872
NPRM Comment Period End.	03/31/14	
Final Action	12/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Janice Graham, Health Insurance Specialist, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Clincial Standards and Quality, Mail Stop S3–02–01, 7500 Security Boulevard, Baltimore, MD 21244–1850, *Phone:* 410 786–8020, *Email: janice.graham@cms.hhs.gov.*

RIN: 0938–AO91

141. Medicare Shared Savings Program; Accountable Care Organizations (CMS–1461–F) (Section 610 Review)

Legal Authority: Pub. L. 111–148, sec 3022

Abstract: This rule finalizes changes to the Medicare Shared Savings Program (Shared Savings Program), including provisions relating to the payment of Accountable Care Organizations (ACOs) participating in the Shared Savings Program. Under the Shared Savings Program, providers of services and suppliers that participate in an ACO continue to receive traditional Medicare fee for service (FFS) payments under Parts A and B and are eligible for additional payments from the ACO if they meet specified quality and savings requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/08/14	79 FR 72760
NPRM Comment Period End.	02/06/15	
Final Action	12/00/17	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Terri Postma, Medical Officer, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Mail Stop C5–15–24, 7500 Security Boulevard, Baltimore, MD 21244 *Phone:* 410 786–4169, *Email: terri.postma@cms.hhs.gov.*

RIN: 0938–AS06

142. Hospital and Critical Access Hospital (CAH) Changes To Promote Innovation, Flexibility, and Improvement in Patient Care (CMS–3295–P) (Rulemaking Resulting From a Section 610 Review)

Legal Authority: 42 U.S.C. 1302; 42 U.S.C. 1395hh and 1395rr

Abstract: This proposed rule would update the requirements that hospitals and CAHs must meet to participate in the Medicare and Medicaid programs. These proposals are intended to conform the requirements to current standards of practice and support improvements in quality of care, reduce barriers to care, and reduce some issues that may exacerbate workforce shortage concerns.

Timetable:

Action	Date	FR Cite
NPRM	12/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: CDR Scott Cooper, Senior Technical Advisor, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Center for Clinical Standards and Quality, Mail Stop S3–01–02, 7500 Security Boulevard, Baltimore, MD 21244, *Phone:* 410 786–9465, *Email: scott.cooper@cms.hhs.gov.*

RIN: 0938–AS21

[FR Doc. 2015–14352 Filed 6–17–15; 8:45 am]

BILLING CODE 4150–03–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part VIII

Department of Homeland Security

Unified Agenda

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

6 CFR Chs. I and II

[DHS Docket No. OGC–RP–04–001]

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Office of the Secretary, DHS.

ACTION: Semiannual regulatory agenda.

SUMMARY: This regulatory agenda is a semiannual summary of current and projected rulemakings, existing regulations, and completed actions of the Department of Homeland Security (DHS) and its components. This agenda provides the public with information about DHS's regulatory activity. DHS expects that this information will enable the public to be more aware of, and effectively participate in, the Department's regulatory activity. DHS invites the public to submit comments on any aspect of this agenda.

FOR FURTHER INFORMATION CONTACT:

General

Please direct general comments and inquiries on the agenda to the Regulatory Affairs Law Division, Office of the General Counsel, U.S. Department of Homeland Security, 245 Murray Lane, Mail Stop 0485, Washington, DC 20528–0485.

Specific

Please direct specific comments and inquiries on individual regulatory actions identified in this agenda to the individual listed in the summary of the regulation as the point of contact for that regulation.

SUPPLEMENTARY INFORMATION: DHS provides this notice pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96–354, Sept. 19, 1980) and Executive Order 12866 ''Regulatory Planning and Review'' (Sept. 30, 1993) as incorporated in Executive Order 13563 ''Improving Regulation and Regulatory Review'' (Jan. 18, 2011), which require the Department to publish a semiannual agenda of regulations. The regulatory agenda is a summary of current and projected rulemakings, as well as actions completed since the publication of the last regulatory agenda for the Department. DHS's last semiannual regulatory agenda was published on November 21, 2014, at 79 FR 76732.

Beginning in fall 2007, the Internet became the basic means for disseminating the Unified Agenda. The complete Unified Agenda is available online at *www.reginfo.gov.*

The Regulatory Flexibility Act (5 U.S.C. 602) requires Federal agencies to publish their regulatory flexibility agendas in the **Federal Register**. A regulatory flexibility agenda shall contain, among other things, a brief description of the subject area of any rule which is likely to have a significant economic impact on a substantial number of small entities. DHS's printed agenda entries include regulatory actions that are in the Department's regulatory flexibility agenda. Printing of these entries is limited to fields that contain information required by the agenda provisions of the Regulatory Flexibility Act. Additional information on these entries is available in the Unified Agenda published on the Internet.

The semiannual agenda of the Department conforms to the Unified Agenda format developed by the Regulatory Information Service Center.

Dated: March 23, 2015.

Christina E. McDonald,

Associate General Counsel for Regulatory Affairs.

OFFICE OF THE SECRETARY—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
143	Ammonium Nitrate Security Program	1601–AA52

OFFICE OF THE SECRETARY—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
144	Chemical Facility Anti-Terrorism Standards (CFATS)	1601–AA69

U.S. CITIZENSHIP AND IMMIGRATION SERVICES—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
145	Requirements for Filing Motions and Administrative Appeals	1615–AB98

U.S. COAST GUARD—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
146	Numbering of Undocumented Barges	1625–AA14

U.S. COAST GUARD—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
147	Inspection of Towing Vessels	1625–AB06
148	Transportation Worker Identification Credential (TWIC); Card Reader Requirements	1625–AB21

U.S. COAST GUARD—FINAL RULE STAGE—Continued

Sequence No.	Title	Regulation Identifier No.
149	Commercial Fishing Vessels—Implementation of 2010 and 2012 Legislation	1625–AB85
150	Seafarers' Access to Maritime Facilities	1625–AC15

U.S. COAST GUARD—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
151	Discharge Removal Equipment for Vessels Carrying Oil	1625–AA02
152	Outer Continental Shelf Activities	1625–AA18
153	Updates to Maritime Security	1625–AB38

U.S. COAST GUARD—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
154	Vessel Requirements for Notices of Arrival and Departure, and Automatic Identification System	1625–AA99
155	MARPOL Annex 1 Update	1625–AB57

U.S. CUSTOMS AND BORDER PROTECTION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
156	Importer Security Filing and Additional Carrier Requirements **(Section 610 Review)**	1651–AA70
157	Implementation of the Guam-CNMI Visa Waiver Program **(Section 610 Review)**	1651–AA77

TRANSPORTATION SECURITY ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
158	Security Training for Surface Mode Employees	1652–AA55
159	Standardized Vetting, Adjudication, and Redress Services	1652–AA61

TRANSPORTATION SECURITY ADMINISTRATION—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
160	General Aviation Security and Other Aircraft Operator Security	1652–AA53

DEPARTMENT OF HOMELAND SECURITY (DHS)

Office of the Secretary (OS)

Final Rule Stage

143. Ammonium Nitrate Security Program

Legal Authority: Pub. L. 110–161, 2008 Consolidated Appropriations Act, sec 563, subtitle J—Secure Handling of Ammonium Nitrate

Abstract: This rulemaking will implement the December 2007 amendment to the Homeland Security Act entitled ''Secure Handling of Ammonium Nitrate.'' The amendment requires the Department of Homeland Security to ''regulate the sale and transfer of ammonium nitrate by an ammonium nitrate facility . . . to prevent the misappropriation or use of ammonium nitrate in an act of terrorism.''

Timetable:

Action	Date	FR Cite
ANPRM	10/29/08	73 FR 64280
Correction	11/05/08	73 FR 65783
ANPRM Comment Period End.	12/29/08	
NPRM	08/03/11	76 FR 46908
Notice of Public Meetings.	10/07/11	76 FR 62311
Notice of Public Meetings.	11/14/11	76 FR 70366
NPRM Comment Period End.	12/01/11	
Final Rule	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jon MacLaren, Chief, Rulemaking Section, Department of Homeland Security, National Protection and Programs Directorate, Infrastructure Security Compliance Division (NPPD/ISCD), 245 Murray Lane, Mail Stop 0610, Arlington, VA 20528–0610, *Phone:* 703 603–4704, *Fax:* 703 603–4935, *Email: jon.m.maclaren@hq.dhs.gov.*

RIN: 1601–AA52

DEPARTMENT OF HOMELAND SECURITY (DHS)

Office of the Secretary (OS)

Long-Term Actions

144. Chemical Facility Anti-Terrorism Standards (CFATS)

Legal Authority: sec 550 of the Department of Homeland Security Appropriations Act of 2007 Pub. L. 109–295, as amended

Abstract: The Department of Homeland Security (DHS) invited public comment on an advance notice of proposed rulemaking (ANPRM) for potential revisions to the Chemical Facility Anti-Terrorism Standards (CFATS) regulations. DHS believes this ANPRM provided expanded opportunities for DHS to hear and consider the views of interested members of the public on their recommendations for possible program changes. DHS intends to publish a notice of proposed rulemaking after considering the public comments received on the ANPRM.

Timetable:

Action	Date	FR Cite
ANPRM	08/18/14	79 FR 48693
ANPRM Comment Period End.	10/17/14	
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jon MacLaren, Chief, Rulemaking Section, Department of Homeland Security, National Protection and Programs Directorate, Infrastructure Security Compliance Division (NPPD/ISCD), 245 Murray Lane, Mail Stop 0610, Arlington, VA 20528–0610, *Phone:* 703 603–4704, *Fax:* 703 603–4935, *Email: jon.m.maclaren@hq.dhs.gov.*

RIN: 1601–AA69

DEPARTMENT OF HOMELAND SECURITY (DHS)

U.S. Citizenship and Immigration Services (USCIS)

Proposed Rule Stage

145. Requirements for Filing Motions and Administrative Appeals

Legal Authority: 5 U.S.C. 552; 5 U.S.C. 552a; 8 U.S.C. 1101; 8 U.S.C. 1103; 8 U.S.C. 1304; 6 U.S.C. 112

Abstract: This proposed rule proposes to revise the requirements and procedures for the filing of motions and appeals before the Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS), and its Administrative Appeals Office (AAO). The proposed changes are intended to streamline the existing processes for filing motions and appeals and will reduce delays in the review and appellate process. This rule also proposes additional changes necessitated by the establishment of DHS and its components. The proposed changes are intended to promote simplicity, accessibility, and efficiency in the administration of USCIS appeals. The Department also solicits public comment on proposed changes to the AAO's appellate jurisdiction.

Timetable:

Action	Date	FR Cite
NPRM	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William K. Renwick, Supervisory Citizenship and Immigration Appeals Officer, Department of Homeland Security, U.S. Citizenship and Immigration Services, Administrative Appeals Office, 20 Massachusetts Avenue NW., Washington, DC 20529–2090, *Phone:* 703 224–4501, *Email: william.k.renwick@uscis.dhs.gov.*

RIN: 1615–AB98

DEPARTMENT OF HOMELAND SECURITY (DHS)

U.S. Coast Guard (USCG)

Proposed Rule Stage

146. Numbering of Undocumented Barges

Legal Authority: 46 U.S.C. 12301

Abstract: Title 46 U.S.C. 12301, as amended by the Abandoned Barge Act of 1992, requires that all undocumented barges of more than 100 gross tons operating on the navigable waters of the United States be numbered. This rulemaking would establish a numbering system and user fees for an original or renewed Certificate of Number for these barges. The numbering of undocumented barges allows the Coast Guard to identify the owners of abandoned barges. This rulemaking supports the Coast Guard's broad role and responsibility of protecting natural resources.

Timetable:

Action	Date	FR Cite
Request for Comments.	10/18/94	59 FR 52646
Comment Period End.	01/17/95	
ANPRM	07/06/98	63 FR 36384
ANPRM Comment Period End.	11/03/98	
NPRM	01/11/01	66 FR 2385
NPRM Comment Period End.	04/11/01	
NPRM Reopening of Comment Period.	08/12/04	69 FR 49844
NPRM Reopening Comment Period End.	11/10/04	
Supplemental NPRM.	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Denise Harmon, Project Manager, Department of Homeland Security, U.S. Coast Guard, National Vessel Documentation Center, 792 T.J. Jackson Drive, Falling Waters, WV 25419, *Phone:* 304 271–2506, *Email: denise.e.harmon@uscg.mil.*

RIN: 1625–AA14

DEPARTMENT OF HOMELAND SECURITY (DHS)

U.S. Coast Guard (USCG)

Final Rule Stage

147. Inspection of Towing Vessels

Legal Authority: 46 U.S.C. 3103; 46 U.S.C. 3301; 46 U.S.C. 3306; 46 U.S.C. 3308; 46 U.S.C. 3316; 46 U.S.C. 3703; 46 U.S.C. 8104; 46 U.S.C. 8904; DHS Delegation No 0170.1

Abstract: This rulemaking would implement a program of inspection for certification of towing vessels, which were previously uninspected. It would prescribe standards for safety management systems and third-party auditors and surveyors, along with standards for construction, operation, vessel systems, safety equipment, and recordkeeping.

Timetable:

Action	Date	FR Cite
NPRM	08/11/11	76 FR 49976
Notice of Public Meetings.	09/09/11	76 FR 55847
NPRM Comment Period End.	12/09/11	
Final Rule	02/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: LCDR William Nabach, Project Manager, Office of Design & Engineering Standards, CG–OES–2, Department of Homeland Security, U.S. Coast Guard, 2703 Martin Luther King Jr. Avenue SE., STOP 7509, Washington, DC 20593–7509, *Phone:* 202 372–1386, *Email: william.a.nabach@uscg.mil.*

RIN: 1625–AB06

148. Transportation Worker Identification Credential (TWIC); Card Reader Requirements

Legal Authority: 33 U.S.C. 1226; 33 U.S.C. 1231; 46 U.S.C. 701; 50 U.S.C. 191; 50 U.S.C. 192; E.O. 12656

Abstract: The Coast Guard is establishing electronic card reader requirements for maritime facilities and vessels to be used in combination with TSA's Transportation Worker Identification Credential (TWIC). Congress enacted several statutory requirements within the Security and Accountability for Every (SAFE) Port Act of 2006 to guide regulations pertaining to TWIC readers, including the need to evaluate TSA's final pilot program report as part of the TWIC reader rulemaking. During the rulemaking process, we will take into account the final pilot data and the various conditions in which TWIC readers may be employed. For example, we will consider the types of vessels and facilities that will use TWIC readers, locations of secure and restricted areas, operational constraints, and need for accessibility. Recordkeeping requirements, amendments to security plans, and the requirement for data exchanges (*i.e.,* Canceled Card List) between TSA and vessel or facility owners/operators will also be addressed in this rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	03/27/09	74 FR 13360
Notice of Public Meeting.	04/15/09	74 FR 17444
ANPRM Comment Period End.	05/26/09	
Notice of Public Meeting Comment Period End.	05/26/09	
NPRM	03/22/13	78 FR 20558
NPRM Comment Period Extended.	05/10/13	78 FR 27335
NPRM Comment Period Extended End.	06/20/13	
Final Rule	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: LT Mason Wilcox, Project Manager, Department of Homeland Security, U.S. Coast Guard, Commandant (CG–FAC–2), 2703 Martin Luther King Jr Avenue SE., STOP 7501, Washington, DC 20593–7501, *Phone:* 202 372–1123, *Email: mason.c.wilcox@uscg.mil.*

RIN: 1625–AB21

149. Commercial Fishing Vessels—Implementation of 2010 and 2012 Legislation

Legal Authority: Pub. L. 111–281

Abstract: The Coast Guard is implementing those requirements of 2010 and 2012 legislation that pertain to uninspected commercial fishing industry vessels and that took effect upon enactment of the legislation but that, to be implemented, require amendments to Coast Guard regulations affecting those vessels. The applicability of the regulations is being changed, and new requirements are being added to safety training, equipment, vessel examinations, vessel safety standards, the documentation of maintenance, and the termination of unsafe operations. This rulemaking promotes the Coast Guard's maritime safety mission.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jack Kemerer, Project Manager, CG–CVC–3, Department of Homeland Security, U.S. Coast Guard, 2703 Martin Luther King Jr. Avenue SE., STOP 7501, Washington, DC 20593–7501, *Phone:* 202 372–1249, *Email: jack.a.kemerer@uscg.mil.*

RIN: 1625–AB85

150. Seafarers' Access to Maritime Facilities

Legal Authority: 33 U.S.C. 1226; 33 U.S.C. 1231; Pub. L. 111–281, sec 811

Abstract: This regulatory action will implement section 811 of the Coast Guard Authorization Act of 2010 (Pub. L. 111–281), which requires the owner/operator of a facility regulated by the Coast Guard under the Maritime Transportation Security Act of 2002 (Pub. L. 107–295) (MTSA) to provide a system that enables seafarers and certain other individuals to transit between vessels moored at the facility and the facility gate in a timely manner at no cost to the seafarer or other individual. Ensuring that such access through a facility is consistent with the security requirements in MTSA is part of the Coast Guard's Ports, Waterways, and Coastal Security (PWCS) mission.

Timetable:

Action	Date	FR Cite
NPRM	12/29/14	79 FR 77981
NPRM Comment Period End.	02/27/15	
Final Rule	02/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: LT Mason Wilcox, Project Manager, Department of Homeland Security, U.S. Coast Guard, Commandant (CG–FAC–2), 2703 Martin Luther King Jr Avenue SE., STOP 7501, Washington, DC 20593–7501, *Phone:* 202 372–1123, *Email: mason.c.wilcox@uscg.mil*

RIN: 1625–AC15

DEPARTMENT OF HOMELAND SECURITY (DHS)

U.S. Coast Guard (USCG)

Long-Term Actions

151. Discharge Removal Equipment for Vessels Carrying Oil

Legal Authority: 33 U.S.C. 1321

Abstract: The Oil Pollution Act of 1990 directed the President by August 18, 1992, to require periodic inspection of discharge-removal equipment to ensure that it is available in an emergency, and to require carriage of discharge removal equipment by vessels operating in the navigable waters of the United States and carrying oil or hazardous substances. This action implemented those provisions. This project supports the Coast Guard's broad role and responsibility of maritime stewardship.

Timetable:

Action	Date	FR Cite
ANPRM	08/30/91	56 FR 43534
ANPRM Comment Period End.	10/16/91	
NPRM	09/29/92	57 FR 44912
NPRM Comment Period Extended.	10/26/92	57 FR 48489
NPRM Comment Period End.	10/29/92	
NPRM Comment Period Extended.	11/16/92	57 FR 48489
Interim Final Rule	12/22/93	58 FR 67988
Interim Final Rule Effective.	01/21/94	
Correction	01/26/94	59 FR 3749
Interim Final Rule Comment Period End.	02/22/94	
Notice	03/27/12	77 FR 18151
Notice Comment Period End.	05/29/12	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: David A. Du Pont, Project Manager, CG–REG, Department of Homeland Security, U.S. Coast Guard, Office of Standards Evaluation and Development, 2703 Martin Luther King Jr. Avenue SE., STOP 7418,

Washington, DC 20593–7418, *Phone:* 202 372–1497, *Email: david.a.dupont@uscg.mil.*

RIN: 1625–AA02

152. Outer Continental Shelf Activities

Legal Authority: 43 U.S.C. 1333(d)(1); 43 U.S.C. 1348(c); 43 U.S.C. 1356; DHS Delegation No 0170.1

Abstract: The Coast Guard is the lead Federal agency for workplace safety and health on facilities and vessels engaged in the exploration for, or development, or production of, minerals on the Outer Continental Shelf (OCS), other than for matters generally related to drilling and production that are regulated by the Bureau of Safety and Environmental Enforcement (BSEE). This project would revise the regulations on OCS activities by: (1) Adding new requirements, for OCS units for lifesaving, fire protection, training, and helidecks; (2) providing for USCG acceptance and approval of specified classification society plan reviews, inspections, audits, and surveys; and (3) requiring foreign vessels engaged in OCS activities to comply with rules similar to those imposed on U.S. vessels similarly engaged. This project would affect the owners and operators of facilities and vessels engaged in offshore activities.

Timetable:

Action	Date	FR Cite
Request for Comments.	06/27/95	60 FR 33185
Comment Period End.	09/25/95	
NPRM	12/07/99	64 FR 68416
NPRM Correction	02/22/00	65 FR 8671
NPRM Comment Period Extended.	03/16/00	65 FR 14226
NPRM Comment Period Extended.	06/30/00	65 FR 40559
NPRM Comment Period End.	11/30/00	
Supplemental NPRM.	To Be	Determined

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Charles Rawson, Project Manager, Department of Homeland Security, U.S. Coast Guard, Commandant (CG–ENG–2), 2703 Martin Luther King Jr Avenue SE., STOP 7509, Washington, DC 20593–7509. *Phone:* 202 372–1390. *Email: charles.e.rawson@uscg.mil.*

RIN: 1625–AA18

153. Updates to Maritime Security

Legal Authority: 33 U.S.C. 1226; 33 U.S.C. 1231; 46 U.S.C. 701; 50 U.S.C. 191 and 192; E.O. 12656; 33 CFR 1.05–1; 33 CFR 6.04–11; 33 CFR 6.14; 33 CFR 6.16; 33 CFR 6.19; DHS Delegation No 0170.1

Abstract: The Coast Guard proposes certain additions, changes, and amendments to 33 CFR, subchapter H. Subchapter H is comprised of parts 101 through 106. Subchapter H implements the major provisions of the Maritime Transportation Security Act of 2002 (MTSA). This rulemaking is the first major revision to subchapter H. The proposed changes would further the goals of domestic compliance and international cooperation by incorporating requirements from legislation implemented since the original publication of these regulations, such as the Security and Accountability for Every (SAFE) Port Act of 2006, and including international standards such as Standards of Training, Certification & Watchkeeping security training. This rulemaking has international interest because of the close relationship between subchapter H and the International Ship and Port Security Code (ISPS).

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: LCDR Kevin McDonald, Project Manager, Department of Homeland Security, U.S. Coast Guard, 2703 Martin Luther King Jr Ave. SE., Commandant (CG–FAC–2), STOP 7501, Washington, DC 20593–7501, *Phone:* 202 372–1168, *Email: kevin.j.mcdonald@uscg.mil.*

RIN: 1625–AB38

DEPARTMENT OF HOMELAND SECURITY (DHS)

U.S. Coast Guard (USCG)

Completed Actions

154. Vessel Requirements for Notices of Arrival and Departure, and Automatic Identification System

Legal Authority: 33 U.S.C. 1223; 33 U.S.C. 1225; 33 U.S.C. 1231; 46 U.S.C. 3716; 46 U.S.C. 8502; 46 U.S.C. 701; Pub. L. 107–295, sec 102; E.O. 12234

Abstract: This rulemaking expands the applicability for Notice of Arrival and Departure (NOAD) and Automatic Identification System (AIS) requirements. These expanded requirements better enable the Coast Guard to correlate vessel AIS data with NOAD data, enhance our ability to identify and track vessels, detect anomalies, improve navigation safety, and heighten our overall maritime domain awareness. The NOAD portion of this rulemaking expands the applicability of the NOAD regulations by changing the minimum size of vessels covered below the current 300 gross tons, requires a notice of departure when a vessel is departing for a foreign port or place, and mandates electronic submission of NOAD notices to the National Vessel Movement Center. The AIS portion of this rulemaking expands current AIS carriage requirements for the population identified in the Safety of Life at Sea (SOLAS) Convention and the Marine Transportation Marine Transportation Security Act (MTSA) of 2002.

Timetable:

Action	Date	FR Cite
NPRM	12/16/08	73 FR 76295
Notice of Public Meeting.	01/21/09	74 FR 3534
Notice of Second Public Meeting.	03/02/09	74 FR 9071
NPRM Comment Period End.	04/15/09	
Notice of Second Public Meeting Comment Period End.	04/15/09	
Final Rule	01/30/15	80 FR 5282
Final Rule Effective Date.	03/02/15	
Final Rule; Correction.	04/01/15	80 FR 17326
Final Rule; Correction Effective.	04/01/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: LCDR Michael D. Lendvay, Program Manager, Office of Commercial Vessel, Foreign and Offshore Vessel Activities Div. (CG–CVC–2), Department of Homeland Security, U.S. Coast Guard, 2703 Martin Luther King Jr. Avenue SE., STOP 7501, Washington, DC 20593–7501, *Phone:* 202 372–1218, *Email: michael.d.lendvay@uscg.mil.*

Jorge Arroyo, Project Manager, Office of Navigation Systems (CG–NAV–1), Department of Homeland Security, U.S. Coast Guard, 2703 Martin Luther King Jr. Avenue SE., STOP 7418, Washington, DC 20593–7418, *Phone:* 202 372–1563, *Email: jorge.arroyo@uscg.mil.*

RIN: 1625–AA99

155. Marpol Annex 1 Update

Legal Authority: 33 U.S.C. 1902; 46 U.S.C. 3306

Abstract: In this rulemaking, the Coast Guard amended the regulations in subchapter O (Pollution) of title 33 of the CFR, including regulations on vessels carrying oil, oil pollution prevention, oil transfer operations, and rules for marine environmental

protection regarding oil tank vessels, to reflect changes to international oil pollution standards adopted since 2004. Additionally, this regulation updated shipping regulations in title 46 to require Material Safety Data Sheets, in accordance with international agreements, to protect the safety of mariners at sea.

Timetable:

Action	Date	FR Cite
NPRM	04/09/12	77 FR 21360
NPRM Comment Period End.	07/26/12	
Comment Period Extended.	09/07/12	77 FR 43741
Final Rule	02/04/15	80 FR 5922
Final Rule Effective.	05/05/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: LCDR William Nabach, Project Manager, Office of Design & Engineering Standards, CG–OES–2, Department of Homeland Security, U.S. Coast Guard, 2703 Martin Luther King Jr. Avenue SE., STOP 7509, Washington, DC 20593–7509, *Phone:* 202 372–1386, *Email: william.a.nabach@uscg.mil*.

RIN: 1625–AB57

DEPARTMENT OF HOMELAND SECURITY (DHS)

U.S. Customs and Border Protection (USCBP)

Final Rule Stage

156. Importer Security Filing and Additional Carrier Requirements (Section 610 Review)

Legal Authority: Pub. L. 109–347, sec 203; 5 U.S.C. 301; 19 U.S.C. 66; 19 U.S.C. 1431; 19 U.S.C. 1433 to 1434; 19 U.S.C. 1624; 19 U.S.C. 2071 (note); 46 U.S.C. 60105

Abstract: This final rule implements the provisions of section 203 of the Security and Accountability for Every Port Act of 2006. On November 25, 2008, Customs and Border Protection (CBP) published an interim final rule (CBP Dec. 08–46) in the **Federal Register** (73 FR 71730), that finalized most of the provisions proposed in the NPRM. The interim final rule did not finalize six data elements that were identified as areas of potential concern for industry during the rulemaking process and, for which, CBP provided some type of flexibility for compliance with those data elements. CBP solicited public comment on these six data elements, is conducting a structured review, and also invited comments on the revised Regulatory Assessment and Final Regulatory Flexibility Analysis. [See 73 FR 71782–85 for regulatory text and 73 CFR 71733–34 for general discussion.] The remaining requirements of the rule were adopted as final. CBP plans to issue a final rule after CBP completes a structured review of the flexibilities and analyzes the comments.

Timetable:

Action	Date	FR Cite
NPRM	01/02/08	73 FR 90
NPRM Comment Period End.	03/03/08	
NPRM Comment Period Extended.	02/01/08	73 FR 6061
NPRM Comment Period End.	03/18/08	
Interim Final Rule	11/25/08	73 FR 71730
Interim Final Rule Effective.	01/26/09	
Interim Final Rule Comment Period End.	06/01/09	
Correction	07/14/09	74 FR 33920
Correction	12/24/09	74 FR 68376
Final Action	02/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Craig Clark, Program Manager, Vessel Manifest & Importer Security Filing, Office of Cargo and Conveyance Security, Department of Homeland Security, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Washington, DC 20229, *Phone:* 202 344–3052, *Email: craig.clark@cbp.dhs.gov*.

RIN: 1651–AA70

157. Implementation of the Guam–CNMI Visa Waiver Program (Section 610 Review)

Legal Authority: Pub. L. 110–229, sec 702

Abstract: The IFR (or the final rule planned for the coming year) rule amends Department of Homeland Security (DHS) regulations to implement section 702 of the Consolidated Natural Resources Act of 2008 (CNRA). This law extends the immigration laws of the United States to the Commonwealth of the Northern Mariana Islands (CNMI) and provides for a joint visa waiver program for travel to Guam and the CNMI. This rule implements section 702 of the CNRA by amending the regulations to replace the current Guam Visa Waiver Program with a new Guam-CNMI Visa Waiver Program. The amended regulations set forth the requirements for nonimmigrant visitors who seek admission for business or pleasure and solely for entry into and stay on Guam or the CNMI without a visa. This rule also establishes six ports of entry in the CNMI for purposes of administering and enforcing the Guam-CNMI Visa Waiver Program. Section 702 of the Consolidated Natural Resources Act of 2008 (CNRA), subject to a transition period, extends the immigration laws of the United States to the Commonwealth of the Northern Mariana Islands (CNMI) and provides for a visa waiver program for travel to Guam and/or the CNMI. On January 16, 2009, the Department of Homeland Security (DHS), Customs and Border Protection (CBP), issued an interim final rule in the **Federal Register** replacing the then-existing Guam Visa Waiver Program with the Guam-CNMI Visa Waiver Program and setting forth the requirements for nonimmigrant visitors seeking admission into Guam and/or the CNMI under the Guam-CNMI Visa Waiver Program. As of November 28, 2009, the Guam-CNMI Visa Waiver Program is operational. This program allows nonimmigrant visitors from eligible countries to seek admission for business or pleasure for entry into Guam and/or the CNMI without a visa for a period of authorized stay not to exceed 45 days. This rulemaking would finalize the January 2009 interim final rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/16/09	74 FR 2824
Interim Final Rule Effective.	01/16/09	
Interim Final Rule Comment Period End.	03/17/09	
Technical Amendment; Change of Implementation Date.	05/28/09	74 FR 25387
Final Action	02/00/16	

Regulatory Flexibility Analysis Required: No.

Agency Contact: Paul Minton, CBP Officer (Program Manager), Department of Homeland Security, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Washington, DC 20229, *Phone:* 202 344–2723, *Email: paul.a.minton@cbp.dhs.gov*.

RIN: 1651–AA77

DEPARTMENT OF HOMELAND SECURITY (DHS)

Transportation Security Administration (TSA)

Final Rule Stage

158. Security Training for Surface Mode Employees

Legal Authority: 49 U.S.C. 114; Pub. L. 110–53, secs 1408, 1517, and 1534

Abstract: This rule would require security awareness training for front-line employees for potential terrorism-related security threats and conditions pursuant to the 9/11 Act. This rule would apply to higher-risk public transportation, freight rail, and over-the-road bus owner/operators and take into consideration the many actions higher-risk owner/operators have already taken since 9/11 to enhance the baseline of security through training of their employees. The rulemaking will also propose extending security coordinator and reporting security incident requirements applicable to rail operators under current 49 CFR part 1580 to the non-rail transportation components of covered public transportation agencies and over-the-road buses.

Timetable:

Action	Date	FR Cite
NPRM	01/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Chandru (Jack) Kalro, Deputy Director, Surface Division, Department of Homeland Security, Transportation Security Administration, Office of Security Policy and Industry Engagement, 601 South 12th Street, Arlington, VA 20598–6028, *Phone:* 571 227–1145, *Fax:* 571 227–2935, *Email: surfacefrontoffice@tsa.dhs.gov*.

Monica Grasso Ph.D., Manager, Economic Analysis Branch–Cross Modal Division, Department of Homeland Security, Transportation Security Administration, Office of Security Policy and Industry Engagement, 601 South 12th Street, Arlington, VA 20598–6028, *Phone:* 571 227–3329, *Email: monica.grasso@tsa.dhs.gov*.

David Kasminoff, Senior Counsel, Regulations and Security Standards Division, Department of Homeland Security, Transportation Security Administration, Office of the Chief Counsel, 601 South 12th Street, Arlington, VA 20598–6002, *Phone:* 571 227–3583, *Fax:* 571 227–1378, *Email: david.kasminoff@tsa.dhs.gov*.

RIN: 1652–AA55

159. Standardized Vetting, Adjudication, and Redress Services

Legal Authority: 49 U.S.C. 114, 5103A, 44903 and 44936; 46 U.S.C. 70105; 6 U.S.C. 469; Pub. L. 110–53, secs 1411, 1414, 1520, 1522 and 1602

Abstract: The Transportation Security Administration (TSA) intends to propose new regulations to revise and standardize the procedures, adjudication criteria, and fees for most of the security threat assessments (STA) of individuals for which TSA is responsible. The scope of the rulemaking will include transportation workers who are required to undergo an STA, including surface, maritime, and aviation workers. TSA will propose fees to cover the cost of all STAs. TSA plans to improve efficiencies in processing STAs and streamline existing regulations by simplifying language and removing redundancies. TSA will propose revisions to the Alien Flight Student Program (AFSP) regulations. TSA published an interim final rule for AFSP on September 20, 2004. TSA regulations require aliens seeking to train at Federal Aviation Administration-regulated flight schools to complete an application and undergo an STA prior to beginning flight training. There are four categories under which students currently fall; the nature of the STA depends on the student's category. TSA is considering changes to the AFSP that would improve the equity among fee payers and enable the implementation of new technologies to support vetting.

Timetable:

Action	Date	FR Cite
NPRM	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Chang Ellison, Branch Manager, Program Initiatives Branch, Department of Homeland Security, Transportation Security Administration, Office of Intelligence and Analysis, TSA–10, HQ E6, 601 South 12th Street, Arlington, VA 20598–6010, *Phone:* 571 227–3604, *Email: chang.ellison@tsa.dhs.gov*.

Monica Grasso Ph.D., Manager, Economic Analysis Branch–Cross Modal Division, Department of Homeland Security, Transportation Security Administration, Office of Security Policy and Industry Engagement, 601 South 12th Street, Arlington, VA 20598–6028, *Phone:* 571 227–3329 *Email: monica.grasso@tsa.dhs.gov*.

John Vergelli, Senior Counsel, Regulations and Security Standards Division, Department of Homeland Security, Transportation Security Administration, Office of the Chief Counsel, 601 South 12th Street, Arlington, VA 20598–6002, *Phone:* 571 227–4416, *Fax:* 571 227–1378, *Email: john.vergelli@tsa.dhs.gov*.

RIN: 1652–AA61

DEPARTMENT OF HOMELAND SECURITY (DHS)

Transportation Security Administration (TSA)

Long-Term Actions

160. General Aviation Security and Other Aircraft Operator Security

Legal Authority: 6 U.S.C. 469; 18 U.S.C. 842; 18 U.S.C. 845; 46 U.S.C. 70102 to 70106; 46 U.S.C. 70117; 49 U.S.C. 114; 49 U.S.C. 114(f)(3); 49 U.S.C. 5103; 49 U.S.C. 5103a; 49 U.S.C. 40113; 49 U.S.C. 44901 to 44907; 49 U.S.C. 44913 to 44914; 49 U.S.C. 44916 to 44918; 49 U.S.C. 44932; 49 U.S.C. 44935 to 44936; 49 U.S.C. 44942; 49 U.S.C. 46105

Abstract: On October 30, 2008, the Transportation Security Administration (TSA) issued a notice of proposed rulemaking (NPRM), proposing to amend current aviation transportation security regulations to enhance the security of general aviation by expanding the scope of current requirements, and by adding new requirements for certain large aircraft operators and airports serving those aircraft. TSA also proposed that all aircraft operations, including corporate and private charter operations, with aircraft having a maximum certificated takeoff weight (MTOW) above 12,500 pounds (large aircraft) be required to adopt a large aircraft security program. TSA also proposed to require certain airports that serve large aircraft to adopt security programs. After considering comments received on the NPRM and sponsoring public meetings with stakeholders, TSA decided to revise the original proposal to tailor security requirements to the general aviation community. TSA is preparing a supplemental NPRM (SNPRM), which will include a comment period for public comments. TSA is considering the following proposed provisions in the SNPRM: (1) Security measures for foreign aircraft operators commensurate with measures for U.S. operators, (2) the type of aircraft subject to TSA regulation, (3) compliance oversight, (4) watch list matching of passengers, (5) scope of the background check requirements and the procedures used to implement the requirement, and (6) other issues.

Timetable:

Action	Date	FR Cite
NPRM	10/30/08	73 FR 64790
NPRM Comment Period End.	12/29/08	
Notice—NPRM Comment Period Extended.	11/25/08	73 FR 71590

Action	Date	FR Cite
NPRM Extended Comment Period End.	02/27/09	
Notice—Public Meetings; Requests for Comments.	12/18/08	73 FR 77045
Supplemental NPRM.	To Be Determined	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kevin Knott, Manager, Industry Engagement Branch—Aviation Division, Department of Homeland Security, Transportation Security Administration, 601 South 12th Street, Arlington, VA 22304, *Phone:* 571 227–4370, *Email: kevin.knott@dhs.gov*.

Monica Grasso Ph.D., Manager, Economic Analysis Branch—Cross Modal Division, Department of Homeland Security, Transportation Security Administration, Office of Security Policy and Industry Engagement, 601 South 12th Street, Arlington, VA 20598–6028, *Phone:* 571 227–3329, *Email: monica.grasso@tsa.dhs.gov*.

Denise Daniels, Attorney–Advisor, Regulations and Security Standards, Department of Homeland Security, Transportation Security Administration, Office of the Chief Counsel, 601 South 12th Street, Arlington, VA 20598–6002, *Phone:* 571 227–3443, *Fax:* 571 227–1381, *Email: denise.daniels@tsa.dhs.gov*.

RIN: 1652–AA53

[FR Doc. 2015–14353 Filed 6–17–15; 8:45 am]

BILLING CODE 9110–9B–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part IX

Department of the Interior

Unified Agenda

DEPARTMENT OF THE INTERIOR

Office of the Secretary

25 CFR Ch. I

30 CFR Chs. II and VII

36 CFR Ch. I

43 CFR Subtitle A, Chs. I and II

48 CFR Ch. 14

50 CFR Chs. I and IV

Unified Regulatory Agenda

AGENCY: Office of the Secretary, Interior.

ACTION: Unified regulatory agenda.

SUMMARY: This notice provides the unified agenda of rules scheduled for review or development between spring 2015 and spring 2016. The Regulatory Flexibility Act and Executive Order 12866 require publication of the agenda.

ADDRESSES: Unless otherwise indicated, all agency contacts are located at the Department of the Interior, 1849 C Street NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Direct all comments and inquiries to the appropriate agency contact. Direct general comments relating to the agenda to the Office of Executive Secretariat and Regulatory Affairs, Department of the Interior, at the address above or at 202–208–5257.

SUPPLEMENTARY INFORMATION: With this publication, the Department satisfies the requirement of Executive Order 12866 that the Department publish an agenda of rules that we have issued or expect to issue and of currently effective rules that we have scheduled for review.

Simultaneously, the Department meets the requirement of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) to publish an agenda in April and October of each year identifying rules that will have significant economic effects on a substantial number of small entities. We have specifically identified in the agenda rules that will have these effects.

Mark Lawyer,

Federal Register Liaison Officer.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
161	Blowout Prevention Systems and Well Control	1014–AA11

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
162	Production Safety Systems and Lifecycle Analysis	1014–AA10

UNITED STATES FISH AND WILDLIFE SERVICE—PRERULE STAGE

Sequence No.	Title	Regulation Identifier No.
163	Migratory Bird Permits; Incidental Take of Migratory Birds; Notice of Intent to Prepare An Environmental Impact Statement; Request for Comments.	1018–BA69

UNITED STATES FISH AND WILDLIFE SERVICE—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
164	National Wildlife Refuge System; Oil and Gas Regulations	1018–AX36

UNITED STATES FISH AND WILDLIFE SERVICE—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
165	Injurious Wildlife Species; Constrictor Species From Python, Boa, and Eunectes Genera	1018–AV68

NATIONAL PARK SERVICE—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
166	Non-Federal Oil and Gas Rights	1024–AD78

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
167	Stream Protection Rule	1029–AC63

DEPARTMENT OF THE INTERIOR (DOI)

Bureau of Safety and Environmental Enforcement (BSEE)

Proposed Rule Stage

161. Blowout Prevention Systems and Well Control

Legal Authority: 30 U.S.C. 1751; 31 U.S.C. 9701; 43 U.S.C. 1334

Abstract: This proposed rule would upgrade regulations related to the design, manufacture, and repair of blowout preventers (BOPs) in response to numerous recommendations. In addition to BOPs, the proposed rule will address well design, well control, safe drilling margins, casing, cementing, real-time monitoring, and subsea containment. The proposed rule will address many of the issues raised following the Deepwater Horizon incident and from experts through a public forum held May 22, 2012.

Timetable:

Action	Date	FR Cite
NPRM	04/17/15	80 FR 21504
NPRM Comment Period End.	05/18/15	
Final Action	07/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Lakeisha Harrison, Chief, Regulations and Standards Branch, Department of the Interior, Bureau of Safety and Environmental Enforcement, 45600 Woodland Road, Sterling, VA 20166, *Phone:* 703 787–1552, *Fax:* 703 787–1555, *Email: lakeisha.harrison@bsee.gov*.

RIN: 1014–AA11

DEPARTMENT OF THE INTERIOR (DOI)

Bureau of Safety and Environmental Enforcement (BSEE)

Final Rule Stage

162. Production Safety Systems and Lifecycle Analysis

Legal Authority: 31 U.S.C. 9701; 43 U.S.C. 1334

Abstract: This rule will amend and update the regulations regarding oil and natural gas production. It will address issues such as production safety systems, subsurface safety devices, and safety device testing. The rule has been expanded to differentiate the requirements for operating dry tree and wet tree production systems on the Outer Continental Shelf (OCS). This rule will also expand use of lifecycle analysis of critical equipment.

Timetable:

Action	Date	FR Cite
NPRM	08/22/13	78 FR 52240
NPRM Comment Period End.	12/05/13	
Final Action	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Lakeisha Harrison, Chief, Regulations and Standards Branch, Department of the Interior, Bureau of Safety and Environmental Enforcement, 45600 Woodland Road, Sterling, VA 20166, *Phone:* 703 787–1552, *Fax:* 703 787–1555, *Email: lakeisha.harrison@bsee.gov*.

RIN: 1014–AA10

BILLING CODE 4310–VH–P

DEPARTMENT OF THE INTERIOR (DOI)

United States Fish and Wildlife Service (FWS)

Prerule Stage

163. • Migratory Bird Permits; Incidental Take of Migratory Birds; Notice of Intent To Prepare an Environmental Impact Statement; Request for Comments

Legal Authority: 16 U.S.C. 703 712; 42 U.S.C. 4321 *et seq.*

Abstract: We intend to prepare a programmatic environmental impact statement pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4347; NEPA) to evaluate the potential environmental impacts of a proposal to authorize incidental take of migratory birds under the Migratory Bird Treaty Act (16 U.S.C. 703–711) and to conduct public scoping meetings. We invite input from other Federal and State agencies, tribes, nongovernmental organizations, and members of the public on the scope of the proposed NEPA analysis, the pertinent issues we should address, and alternatives to our proposed approach for authorizing incidental take. We will hold public scoping open house meetings.

Timetable:

Action	Date	FR Cite
Notice	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dr. George T. Allen, Chief, Branch of Permits and Regulations, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, 5275 Leesburg Pike, MS: MB, Falls Church, VA 22041–3808, *Phone:* 703 358–1825, *Fax:* 703 358–2217, *Email: george_t_allen@fws.gov*.

RIN: 1018–BA69

DEPARTMENT OF THE INTERIOR (DOI)

United States Fish and Wildlife Service (FWS)

Proposed Rule Stage

164. National Wildlife Refuge System; Oil and Gas Regulations

Legal Authority: 16 U.S.C. 668dd to ee; 42 U.S.C. 7401 *et seq.;* 16 U.S.C. 1131 to 1136; 40 CFR 51.300 to 51.309

Abstract: We propose regulations that ensure that all operators conducting oil or gas operations within a National Wildlife Refuge System unit do so in a manner that prevents or minimizes damage to National Wildlife Refuge System resources, visitor values, and management objectives. FWS does not intend these regulations to result in a taking of a property interest, but rather to impose reasonable controls on operations that affect federally owned or controlled lands, and/or waters.

Timetable:

Action	Date	FR Cite
ANPRM	02/24/14	79 FR 10080
ANPRM Comment Period End.	04/25/14	
ANPRM Comment Period Re-opened.	06/09/14	79 FR 32903
ANPRM Comment Period Reopening End.	07/09/14	
NPRM	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brian Salem, Conservation Policy Analyst, Department of the Interior, United States Fish and Wildlife Service, 5275 Leesburg Pike, MS: NWRS, Falls Church, VA 22041–3808, *Phone:* 703 358–2397, *Email: brian_salem@fws.gov.*

Scott Covington, Refuge Energy Program Coordinator, Department of the Interior, United States Fish and Wildlife Service, National Wildlife Refuge System, 5275 Leesburg Pike, MS:NWRS, Falls Church, VA 22041–3808, *Phone:* 703 358–2427, *Email: scott_covington@fws.gov.*

RIN: 1018–AX36

DEPARTMENT OF THE INTERIOR (DOI)

United States Fish and Wildlife Service (FWS)

Completed Actions

165. Injurious Wildlife Species; Constrictor Species From Python, Boa, and Eunectes Genera

Legal Authority: 18 U.S.C. 42

Abstract: We made a final determination on the listing of five species of large constrictor snakes as injurious wildlife under the Lacey Act. We added reticulated python, DeSchauensee's anaconda, green anaconda, and Beni anaconda to the list of injurious wildlife. We withdrew a proposal to add the boa constrictor to the list of injurious wildlife.

Completed:

Reason	Date	FR Cite
Final Action	03/09/15	80 FR 12702
Final Action Effective.	04/09/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Susan Jewell, *Phone:* 703 358–2416, *Fax*: 703 358–2044, *Email: susan_jewell@fws.gov.*

RIN: 1018–AV68

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR (DOI)

National Park Service (NPS)

Proposed Rule Stage

166. Non-Federal Oil and Gas Rights

Legal Authority: 54 U.S.C. 100101; 54 U.S.C. 100301; 54 U.S.C. 100302; 54 U.S.C. 100731; 54 U.S.C. 100732

Abstract: This rule would accommodate new technology and industry practices, eliminate regulatory exemptions, update requirements, remove caps on bond amounts, and allow NPS to recover administrative costs. The changes make the regulations more effective and efficient and maintain the highest level of protection compatible with park resources and values.

Timetable:

Action	Date	FR Cite
ANPRM	11/25/09	74 FR 61596
ANPRM Comment Period End.	01/25/10	
NPRM	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Ed Kassman, Regulatory Specialist, Department of the Interior, National Park Service, 12795 West Alameda Parkway, Lakewood, CA 80225, *Phone:* 303 969–2146, *Email: edward_kassman@nps.gov.*

RIN: 1024–AD78

BILLING CODE 4310–70–P

DEPARTMENT OF THE INTERIOR (DOI)

Office of Surface Mining Reclamation and Enforcement (OSMRE)

Proposed Rule Stage

167. Stream Protection Rule

Legal Authority: 30 U.S.C. 1201 *et seq.*

Abstract: On August 12, 2009, the U.S. District Court for the District of Columbia denied the Government's request that the court vacate and remand the Excess Spoil/Stream Buffer Zone rule published on December 12, 2008. Therefore, the Department intends to initiate notice and comment rulemaking to address issues arising from previous rulemakings. The Agency also intends to prepare a new environmental impact statement.

Timetable:

Action	Date	FR Cite
ANPRM	11/30/09	74 FR 62664
ANPRM Comment Period End.	12/30/09	
NPRM	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dennis Rice, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240, *Phone:* 202 208–2829, *Email: drice@osmre.gov.*

RIN: 1029–AC63

[FR Doc. 2015–14354 Filed 6–17–15; 8:45 am]

BILLING CODE 4310–05–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part X

Department of Justice

Unified Agenda

DEPARTMENT OF JUSTICE

8 CFR Ch. V

21 CFR Ch. I

27 CFR Ch. II

28 CFR Ch. I, V

Regulatory Agenda

AGENCY: Department of Justice.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Department of Justice is publishing its spring 2015 regulatory agenda pursuant to Executive Order 12866, ''Regulatory Planning and Review,'' 58 FR 51735, and the Regulatory Flexibility Act, 5 U.S.C. 601 to 612 (1988).

FOR FURTHER INFORMATION CONTACT: Robert Hinchman, Senior Counsel, Office of Legal Policy, Department of Justice, Room 4252, 950 Pennsylvania Avenue NW., Washington, DC 20530, (202) 514–8059.

SUPPLEMENTARY INFORMATION: Beginning with the fall 2007 edition, the Internet has been the basic means for disseminating the Unified Agenda. The complete Unified Agenda will be available online at *www.reginfo.gov* in a format that offers users a greatly enhanced ability to obtain information from the Agenda database.

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), the Department of Justice's printed agenda entries include only:

(1) Rules that are in the Agency's regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and

(2) any rules that the Agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's Agenda requirements. Additional information on these entries is available in the Unified Agenda published on the Internet.

Dated: April 8, 2015.

Elana Tyrangiel,

Principal Deputy Assistant Attorney General, Office of Legal Policy.

CIVIL RIGHTS DIVISION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
168	Nondiscrimination on the Basis of Disability: Accessibility of Web Information and Services of State and Local Governments.	1190–AA65

CIVIL RIGHTS DIVISION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
169	Nondiscrimination on the Basis of Disability; Movie Captioning and Audio Description	1190–AA63

DEPARTMENT OF JUSTICE (DOJ)

Civil Rights Division (CRT)

Proposed Rule Stage

168. Nondiscrimination on the Basis of Disability: Accessibility of Web Information and Services of State and Local Governments

Legal Authority: 42 U.S.C. 12101 *et seq.*

Abstract: The Department published an ANPRM on July 26, 2010, RIN 1190–AA61, that addressed issues relating to proposed revisions of both the title II and title III ADA regulations in order to provide guidance on the obligations of covered entities to make programs, services and activities offered over the Web accessible to individuals with disabilities. The Department has now divided the rulemakings in the next step of the rulemaking process so as to proceed with separate notices of proposed rulemakings for title II and title III. The title III rulemaking on Web accessibility will continue under RIN 1190–AA61 and the title II rulemaking will continue under the new RIN 1190–AA65. This rulemaking will provide specific guidance to State and local governments in order to make services, programs, or activities offered to the public via the Web accessible to individuals with disabilities. The ADA requires that State and local governments provide qualified individuals with disabilities equal access to their programs, services, or activities unless doing so would fundamentally alter the nature of their programs, services, or activities or would impose an undue burden. 42. U.S.C. 12132. The Internet as it is known today did not exist when Congress enacted the ADA; yet today the Internet is dramatically changing the way that governmental entities serve the public. Taking advantage of new technology, citizens can now use State and local government Web sites to correspond online with local officials; obtain information about government services; renew library books or driver's licenses; pay fines; register to vote; obtain tax information and file tax returns; apply for jobs or benefits; and complete numerous other civic tasks. These Government Web sites are important because they allow programs and services to be offered in a more dynamic, interactive way in order to increase citizen participation; increase convenience and speed in obtaining information or services; reduce costs in providing information about Government services and administering programs; reduce the amount of paperwork; and expand the possibilities of reaching new sectors of the community or offering new programs or services. Many States and localities have begun to improve the accessibility of portions of their Web sites. However, full compliance with the ADA's promise to provide an equal opportunity for individuals with disabilities to participate in and benefit from all aspects of the programs, services, and activities provided by State and local governments in today's technologically advanced society will only occur if it is clear to public entities that their Web sites must be accessible. Consequently, the Department intends to publish a Notice of Proposed Rulemaking (NPRM) to amend its title II regulations to

expressly address the obligations of public entities to make the Web sites they use to provide programs, activities, or services or information to the public accessible to and usable by individuals with disabilities under the legal framework established by the ADA. The proposed regulation will propose the scope of the obligation to provide accessibility when persons with disabilities access public Web sites, as well as propose the technical standards necessary to comply with the ADA.

Timetable:

Action	Date	FR Cite
ANPRM	07/26/10	75 FR 43460
ANPRM Comment Period End.	01/21/11	
NPRM	05/00/15	
NPRM Comment Period End.	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Rebecca B. Bond, Chief, Department of Justice, Civil Rights Division, Disability Rights Section, 950 Pennsylvania Ave. NW., Washington, DC 20530, *Phone:* 800 514–0301.

RIN: 1190–AA65

DEPARTMENT OF JUSTICE (DOJ)

Civil Rights Division (CRT)

Final Rule Stage

169. Nondiscrimination on the Basis of Disability; Movie Captioning and Audio Description

Legal Authority: 42 U.S.C. 12101, *et seq.*

Abstract: Following its advance notice of proposed rulemaking published on July 26, 2010, the Department plans to publish a proposed rule addressing the requirements for captioning and video description of movies exhibited in movie theatres under title III of the Americans with Disabilities Act of 1990 (ADA). Title III prohibits discrimination on the basis of disability in the activities of places of public accommodation (private entities whose operations affect commerce and that fall into one of twelve categories listed in the ADA). 42 U.S.C. 12181–12189. Title III makes it unlawful for places of public accommodation, such as movie theaters, to discriminate against individuals with disabilities in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation (42 U.S.C. 12182[a]). Moreover, title III prohibits places of public accommodation from affording an unequal or lesser service to individuals or classes of individuals with disabilities than is offered to other individuals (42 U.S.C. 12182(b)(1)(A)(ii)). Title III requires places of public accommodation to take ''such steps as may be necessary to ensure that no individual with a disability is excluded, denied services, segregated or otherwise treated differently because of the absence of auxiliary aids and services, such as captioning and video description, unless the entity can demonstrate that taking such steps would fundamentally alter the nature of the good, service, facility, privilege, advantage, or accommodation being offered or would result in an undue burden,'' (42 U.S.C. 12182(b)(2)(A)(iii)).

Timetable:

Action	Date	FR Cite
ANPRM	07/26/10	75 FR 43467
ANPRM Comment Period End.	01/24/11	
NPRM	08/01/14	79 FR 44975
NPRM Comment Period Extended.	09/08/14	79 FR 53146
NPRM Comment Period End.	09/30/14	
NPRM Extended Comment Period End.	12/01/14	
Final Action	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Rebecca B. Bond, Chief, Department of Justice, Civil Rights Division, Disability Rights Section, 950 Pennsylvania Ave. NW., Washington, DC 20530, *Phone:* 800 514–0301.

RIN: 1190–AA63

[FR Doc. 2015–14355 Filed 6–17–15; 8:45 am]

BILLING CODE 4410–BP–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XI

Department of Labor

Unified Agenda

DEPARTMENT OF LABOR

Office of the Secretary

20 CFR Chs. I, IV, V, VI, VII, and IX

29 CFR Subtitle A and Chs. II, IV, V, XVII, and XXV

30 CFR Ch. I

41 CFR Ch. 60

48 CFR Ch. 29

Unified Agenda of Regulatory and Deregulatory Actions

AGENCY: Department of Labor.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Internet has become the means for disseminating the entirety of the Department of Labor's semiannual regulatory agenda. However, the Regulatory Flexibility Act requires publication of a regulatory flexibility agenda in the **Federal Register**. This **Federal Register** Notice contains the regulatory flexibility agenda.

FOR FURTHER INFORMATION CONTACT: Kathleen Franks, Director, Office of Regulatory Policy, Office of the Assistant Secretary for Policy, U.S. Department of Labor, 200 Constitution Avenue NW., Room S–2312, Washington, DC 20210; (202) 693–5959.

Note: Information pertaining to a specific regulation can be obtained from the agency contact listed for that particular regulation.

SUPPLEMENTARY INFORMATION: Executive Order 12866 requires the semiannual publication of an agenda of regulations that contains a listing of all the regulations the Department of Labor expects to have under active consideration for promulgation, proposal, or review during the coming one-year period. The entirety of the Department's semiannual agenda is available online at *www.reginfo.gov.*

The Regulatory Flexibility Act (5 U.S.C. 602) requires DOL to publish in the **Federal Register** a regulatory flexibility agenda. The Department's Regulatory Flexibility Agenda published with this notice, includes only those rules on its semiannual agenda that are likely to have a significant economic impact on a substantial number of small entities and those rules identified for periodic review in keeping with the requirements of section 610 of the Regulatory Flexibility Act. Thus, the regulatory flexibility agenda is a subset of the Department's semiannual regulatory agenda.

Occupational Safety and Health Administration

Bloodborne Pathogens (RIN 1218–AC34)

All interested members of the public are invited and encouraged to let departmental officials know how our regulatory efforts can be improved, and are invited to participate in and comment on the review or development of the regulations listed on the Department's agenda.

Thomas E. Perez,

Secretary of Labor.

WAGE AND HOUR DIVISION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
170	Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees.	1235–AA11

EMPLOYMENT AND TRAINING ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
171	Temporary Agricultural Employment of H–2A Foreign Workers in the Herding or Production of Livestock on the Open Range in the United States.	1205–AB70
172	Workforce Innovation and Opportunity Act	1205–AB73
173	Workforce Innovation and Opportunity Act; Joint Rule with U.S. Department of Education for Combined and Unified State Plans, Performance Accountability, and the One-Stop System Joint Provisions.	1205–AB74
174	Modernizing the Permanent Labor Certification Program (PERM)	1205–AB75

EMPLOYMENT AND TRAINING ADMINISTRATION—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
175	Wage Methodology for the Temporary Non-Agricultural Employment H–2B Program	1205–AB72

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION—PRERULE STAGE

Sequence No.	Title	Regulation Identifier No.
176	Bloodborne Pathogens **(Section 610 Review)**	1218–AC34
177	Combustible Dust	1218–AC41

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
178	Occupational Exposure to Crystalline Silica	1218–AB70

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION—PROPOSED RULE STAGE—Continued

Sequence No.	Title	Regulation Identifier No.
179	Occupational Exposure to Beryllium	1218–AB76

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
180	Infectious Diseases	1218–AC46
181	Injury and Illness Prevention Program	1218–AC48
182	Preventing Backover Injuries and Fatalities	1218–AC51

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
183	Confined Spaces in Construction	1218–AB47

DEPARTMENT OF LABOR (DOL)

Wage and Hour Division (WHD)

Proposed Rule Stage

170. Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees

Legal Authority: 29 U.S.C. 213(a)(1) (Fair Labor Standards Act)

Abstract: The Fair Labor Standards Act (FLSA) section 13(a)(1) provides a minimum wage and overtime exemption for any employee employed in a bona fide executive, administrative, professional capacity, or in the capacity of an outside salesperson. President Barack Obama issued a memorandum to the Secretary of Labor on March 13, 2014, directing the Secretary to modernize and streamline the existing overtime regulations for executive, administrative, and professional employees. The Department of Labor last updated these regulations in 2004.

Timetable:

Action	Date	FR Cite
NPRM	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Mary Ziegler, Director, Division of Regulations, Legislation, and Interpretation, Department of Labor, 200 Constitution Avenue NW., Room S–3502, FP Building, Washington, DC 20210, *Phone:* 202 693–0406, *Fax:* 202 693–1387.

RIN: 1235–AA11

DEPARTMENT OF LABOR (DOL)

Employment and Training Administration (ETA)

Proposed Rule Stage

171. Temporary Agricultural Employment of H–2A Foreign Workers in the Herding or Production of Livestock on the Open Range in the United States

Legal Authority: 8 U.S.C. 1188

Abstract: Office of Foreign Labor Certification of the Employment and Training Administration (ETA) has established special procedures for certain occupations, including long-established variances for sheepherding, goat herding, and occupations involving the open range production of livestock. The wage-setting methodology and other employment standards for these occupations has been set in the past by sub-regulatory guidance. ETA is engaging in this regulatory action to establish standards for wages and working conditions in these occupations based on input from the regulated community.

Timetable:

Action	Date	FR Cite
NPRM	04/15/15	80 FR 20300
NPRM Comment Period End.	05/15/15	
NPRM Comment Period Extended.	05/05/15	80 FR 25633
NPRM Comment Period Extended End.	06/01/15	
Final Rule	11/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Janet Banos, Department of Labor, Employment and Training Administration, Division of Policy, Office of Foreign Labor Certification, 200 Constitution Avenue NW., Room C–4312, FP Building, Washington, DC 20210, *Phone:* 202 693–3010, *Email: banos.janet@dol.gov.*

RIN: 1205–AB70

172. Workforce Innovation and Opportunity Act

Legal Authority: Section 503(f) of the Workforce Innovation and Opportunity Act (Pub. L. 113–128)

Abstract: On July 22, 2014, the President signed the Workforce Innovation and Opportunity Act (WIOA) (Pub. L. 113–128). WIOA repeals the Workforce Investment Act of 1998 (WIA). (29 U.S.C. 2801 *et seq.*) The Department of Labor must develop and issue a Notice of Proposed Rulemaking (NPRM) that proposes to implement the changes WIOA makes to the public workforce system in regulations. Through the NPRM, the Department will propose ways to carry out the purposes of WIOA to provide workforce investment activities, through State and local workforce development systems, that increase employment, retention, and earnings of participants, meet the skill requirements of employers, and enhance the productivity and competitiveness of the Nation.

Timetable:

Action	Date	FR Cite
NPRM	04/16/15	80 FR 20690
NPRM Comment Period End.	06/15/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Portia Wu, Assistant Secretary for Employment and Training,

Department of Labor, Employment and Training Administration, 200 Constitution Avenue NW., FP Building, Washington, DC 20210, *Phone:* 202 639–2700.

RIN: 1205–AB73

173. • Workforce Innovation and Opportunity Act; Joint Rule With U.S. Department of Education for Combined and Unified State Plans, Performance Accountability, and the One-Stop System Joint Provisions

Legal Authority: Section 503(f) of the Workforce Innovation and Opportunity Act (Pub. L. 113–128)

Abstract: On July 22, 2014, the President signed the Workforce Innovation and Opportunity Act (WIOA) (Pub. L. 113–128) which repeals the Workforce Investment Act of 1998 (WIA). (29 U.S.C. 2801 *et seq.*) As directed by WIOA, the Departments of Education and Labor must develop and issue a Notice of Proposed Rulemaking (NPRM) to implement the changes in regulations that WIOA makes to the public workforce system regarding Combined and Unified State Plans, performance accountability for WIOA title I, title II, title III, and title IV programs, and the one-stop delivery system.

Therefore, the Departments of Labor and Education will issue a joint NPRM that will include regulations governing the Combined and Unified State Plans, performance accountability system and One-Stop Delivery System and One-Stop Centers, as both Departments are required to jointly implement these provisions of WIOA. All of the other regulations implementing WIOA will be published by the Departments of Labor and Education in separate NPRMs.

Timetable:

Action	Date	FR Cite
NPRM	04/16/15	80 FR 20574
NPRM Comment Period End.	06/15/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Portia Wu, Assistant Secretary for Employment and Training, Department of Labor, Employment and Training Administration, 200 Constitution Avenue NW., FP Building, Washington, DC 20210, *Phone:* 202–639–2700.

RIN: 1205–AB74

174. • Modernizing the Permanent Labor Certification Program (PERM)

Legal Authority: 8 U.S.C. 1152(a)(5)(A); 20 CFR part 656

Abstract: The PERM regulations govern the labor certification process for employers seeking to employ foreign workers permanently in the United States. The Department of Labor (Department) has not comprehensively examined and modified the permanent labor certification requirements and process since 2004. Over the last ten years, much has changed in our country's economy, affecting employers' demand for workers and the availability of a qualified domestic labor force. Advances in technology and information dissemination have dramatically altered common industry recruitment practices, and the Department has received ongoing feedback that the existing regulatory requirements governing the PERM process frequently do not align with worker or industry needs and practices. Therefore, the Department is engaging in rulemaking that will consider options to modernize the PERM program to be more responsive to changes in the national workforce, to further align the program design with the objectives of the U.S. immigration system and needs of workers and employers, and to enhance the integrity of the labor certification process.

Timetable:

Action	Date	FR Cite
NPRM	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William W. Thompson II, Acting Administrator, Office of Foreign Labor Certification, Department of Labor, Employment and Training Administration, 200 Constitution Avenue NW., FP Building, Rm C–4312, Washington, DC 20210, *Phone:* 202 693–3010.

RIN: 1205–AB75

DEPARTMENT OF LABOR (DOL)

Employment and Training Administration (ETA)

Completed Actions

175. Wage Methodology for the Temporary Non-Agricultural Employment H–2B Program

Legal Authority: 8 U.S.C. 1101(a)(15)(H)(ii(B); 8 U.S.C. 1148(c); 29 U.S.C. 49k; 8 CFR 214.2(h)(6)(iii)

Abstract: The Immigration and Nationality Act (INA) establishes the H–2B visa classification for a non-agricultural temporary worker ''having a residence in a foreign country which he has no intention of abandoning who is coming temporarily to the United States to perform . . . temporary [non-agricultural] service or labor if unemployed persons capable of performing such service or labor cannot be found in this country[.]'' 8 U.S.C. 1101(a)(15)(H)(ii)(b). The INA also requires an importing employer (H–2B employer) to petition the Department of Homeland Security (DHS) for classification of the prospective temporary worker as an H–2B nonimmigrant, and DHS must approve such petition before the beneficiary can be considered eligible for an H–2B visa or H–2B status. 8 U.S.C. 1184(c)(1). The INA further requires DHS to consult with ''appropriate agencies of the Government'' before adjudicating an H–2B petition, and DHS has determined that it must consult with the Department of Labor (DOL) to determine whether U.S. workers capable of performing the temporary services or labor are available and that the foreign worker's employment will not adversely affect the wages or working conditions of similarly employed U.S. workers. 8 CFR 214.2(h)(6)(iii)(A). DHS's regulation requires H–2B employers to obtain certification from DOL that these conditions are met prior to submitting a petition to DHS. Id. As part of DOL's certification, DHS requires DOL to determine the prevailing wage applicable to an application for temporary labor certification. 8 CFR 214.2(h)(6)(iii)(D). DOL has established procedures to certify whether a qualified U.S. worker is available to fill the petitioning H–2B employer's job opportunity and whether foreign worker's employment in the job opportunity will adversely affect the wages or working conditions of similarly employed U.S. workers. See 20 CFR part 655, subpart A. As part of DOL's labor certification process and, pursuant to the DHS regulations, 8 CFR 214.2(h)(6)(iii)(D), DOL sets the wage that employers must offer and pay foreign workers entering the country on an H–2B visa. See 20 CFR 655.10. DOL revised the wage methodology used in the H–2B program in 2011, and jointly with the Department of Homeland Security again in 2013. The later action was an interim final rule (IFR) in response to a court order. However, DOL requested and received comments on all aspects of the 2013 revisions to the H–2B wage methodology in the IFR. DOL has determined that further notice and comment is appropriate on the proper methodology for determining the prevailing wage in the H–2B program, and will consider comments submitted in conjunction with the IFR together with comments submitted on this new proposal in order to issue a final rule.

Timetable:

Action	Date	FR Cite
Withdrawn	03/20/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Lauren Bernstein, Acting Manager, Division of Policy, Department of Labor, Employment and Training Administration, Office of Foreign Labor Certification, 200 Constitution Avenue NW., Room C–4312, FP Building, Washington, DC 20210, *Phone:* 202 693–3010, *Email: bernstein.lauren@dol.gov*.

RIN: 1205–AB72

DEPARTMENT OF LABOR (DOL)

Occupational Safety and Health Administration (OSHA)

Prerule Stage

176. Bloodborne Pathogens (Section 610 Review)

Legal Authority: 5 U.S.C. 533; 5 U.S.C. 610; 29 U.S.C. 655(b)

Abstract: OSHA will undertake a review of the Bloodborne Pathogen Standard (29 CFR 1910.1030) in accordance with the requirements of the Regulatory Flexibility Act and section 5 of Executive Order 12866. The review will consider the continued need for the rule; whether the rule overlaps, duplicates, or conflicts with other Federal, State or local regulations; and the degree to which technology, economic conditions, or other factors may have changed since the rule was evaluated.

Timetable:

Action	Date	FR Cite
Begin Review	10/22/09	
Request for Comments Published.	05/14/10	75 FR 27237
Comment Period End.	08/12/10	
End Review and Issue Findings.	09/00/15	

Regulatory Flexibility Analysis Required: No.

Agency Contact: Amanda Edens, Director, Directorate of Technical Support and Emergency Management, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue NW., FP Building, Room N–3653, Washington, DC 20210, *Phone:* 202 693–2300, *Fax:* 202 693–1644, *Email: edens.mandy@dol.gov*.

RIN: 1218–AC34

177. Combustible Dust

Legal Authority: 29 U.S.C. 655(b); 29 U.S.C. 657

Abstract: Occupational Safety and Health Administration (OSHA) has commenced rulemaking to develop a combustible dust standard for general industry. The U.S. Chemical Safety Board (CSB) completed a study of combustible dust hazards in late 2006, which identified 281 combustible dust incidents between 1980 and 2005 that killed 119 workers and injured another 718. Based on these findings, the CSB recommended the Agency pursue a rulemaking on this issue. OSHA has previously addressed aspects of this risk. For example, on July 31, 2005, OSHA published the Safety and Health Information Bulletin, ''Combustible Dust in Industry: Preventing and Mitigating the Effects of Fire and Explosions.'' Additionally, OSHA implemented a Combustible Dust National Emphasis Program (NEP) on March 11, 2008, launched a new Web page, and issued several other guidance documents. However, the Agency does not have a comprehensive standard that addresses combustible dust hazards. OSHA will use the information gathered from the NEP to assist in the development of this rule. OSHA published an ANPRM October 21, 2009. Additionally, stakeholder meetings were held in Washington, DC, on December 14, 2009, in Atlanta, GA, on February 17, 2010, and in Chicago, IL, on April 21, 2010. A webchat for combustible dust was also held on June 28, 2010, and an expert forum was convened on May 13, 2011.

Timetable:

Action	Date	FR Cite
ANPRM	10/21/09	74 FR 54333
Stakeholder Meetings.	12/14/09	
ANPRM Comment Period End.	01/19/10	
Stakeholder Meetings.	02/17/10	
Stakeholders Meetings.	03/09/10	75 FR 10739
Initiate SBREFA ..	02/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William Perry, Director, Directorate of Standards and Guidance, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue NW., Room N–3718, FP Building, Washington, DC 20210, *Phone:* 202 693–1950, *Fax:* 202 693–1678, *Email: perry.bill@dol.gov*.

RIN: 1218–AC41

DEPARTMENT OF LABOR (DOL)

Occupational Safety and Health Administration (OSHA)

Proposed Rule Stage

178. Occupational Exposure to Crystalline Silica

Legal Authority: 29 U.S.C. 655(b); 29 U.S.C. 657

Abstract: Crystalline silica is a significant component of the earth's crust, and many workers in a wide range of industries are exposed to it, usually in the form of respirable quartz or, less frequently, cristobalite. Chronic silicosis is a uniquely occupational disease resulting from exposure of employees over long periods of time (10 years or more). Exposure to high levels of respirable crystalline silica causes acute or accelerated forms of silicosis that are ultimately fatal. The current OSHA permissible exposure limit (PEL) for general industry is based on a formula proposed by the American Conference of Governmental Industrial Hygienists (ACGIH) in 1968 (PEL=10mg/cubic meter/(% silica + 2), as respirable dust). The current PEL for construction and shipyards (derived from ACGIH's 1970 Threshold Limit Value) is based on particle counting technology, which is considered obsolete. NIOSH and ACGIH recommend 50µg/m3 and 25µg/m3 exposure limits, respectively, for respirable crystalline silica.

Both industry and worker groups have recognized that a comprehensive standard for crystalline silica is needed to provide for exposure monitoring, medical surveillance, and worker training. ASTM International has published recommended standards for addressing the hazards of crystalline silica. The Building Construction Trades Department of the AFL–CIO has also developed a recommended comprehensive program standard. These standards include provisions for methods of compliance, exposure monitoring, training, and medical surveillance.

The NPRM was published on September 12, 2013 (78 FR 56274). OSHA received over 1,700 comments from the public on the proposed rule, and over 200 stakeholders provided testimony during public hearings on the proposal. The agency is now reviewing and considering the evidence in the rulemaking record.

Timetable:

Action	Date	FR Cite
Completed SBREFA Report.	12/19/03	

Action	Date	FR Cite
Initiated Peer Review of Health Effects and Risk Assessment.	05/22/09	
Completed Peer Review.	01/24/10	
NPRM	09/12/13	78 FR 56274
NPRM Comment Period Extended; Notice of Intention to Appear at Pub Hearing; Scheduling Pub Hearing.	10/31/13	78 FR 65242
NPRM Comment Period Extended.	01/29/14	79 FR 4641
Informal Public Hearing.	03/18/14	
Post Hearing Briefs Ends.	08/18/14	
Analyze Comments.	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William Perry, Director, Directorate of Standards and Guidance, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue NW., Room N–3718, FP Building, Washington, DC 20210, *Phone:* 202 693–1950, *Fax:* 202 693–1678, *Email: perry.bill@dol.gov*.

RIN: 1218–AB70

179. Occupational Exposure to Beryllium

Legal Authority: 29 U.S.C. 655(b); 29 U.S.C. 657

Abstract: In 1999 and 2001, OSHA was petitioned to issue an emergency temporary standard for permissible exposure limit (PEL) to beryllium by the United Steel Workers (formerly the Paper Allied-Industrial, Chemical, and Energy Workers Union), Public Citizen Health Research Group, and others. The Agency denied the petitions but stated its intent to begin data gathering to collect needed information on beryllium's toxicity, risks, and patterns of usage. On November 26, 2002, OSHA published a Request for Information (RFI) (67 FR 70707) to solicit information pertinent to occupational exposure to beryllium, including: current exposures to beryllium; the relationship between exposure to beryllium and the development of adverse health effects; exposure assessment and monitoring methods; exposure control methods; and medical surveillance. In addition, the Agency conducted field surveys of selected worksites to assess current exposures and control methods being used to reduce employee exposures to beryllium. OSHA convened a Small Business Advocacy Review Panel under the Small Business Regulatory Enforcement Fairness Act (SBREFA) and completed the SBREFA Report in January 2008. OSHA also completed a scientific peer review of its draft risk assessment.

Timetable:

Action	Date	FR Cite
Request for Information.	11/26/02	67 FR 70707
Request For Information Comment Period End.	02/24/03	
SBREFA Report Completed.	01/23/08	
Initiated Peer Review of Health Effects and Risk Assessment.	03/22/10	
Complete Peer Review.	11/19/10	
NPRM	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William Perry, Director, Directorate of Standards and Guidance, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue NW., Room N–3718, FP Building, Washington, DC 20210, *Phone:* 202 693–1950, *Fax:* 202 693–1678, *Email: perry.bill@dol.gov*.

RIN: 1218–AB76

DEPARTMENT OF LABOR (DOL)

Occupational Safety and Health Administration (OSHA)

Long-Term Actions

180. Infectious Diseases

Legal Authority: 5 U.S.C. 533; 29 U.S.C. 657 and 658; 29 U.S.C. 660; 29 U.S.C. 666; 29 U.S.C. 669; 29 U.S.C. 673; * * *

Abstract: Employees in health care and other high-risk environments face long-standing infectious disease hazards such as tuberculosis (TB), varicella disease (chickenpox, shingles), and measles (rubeola), as well as new and emerging infectious disease threats, such as Severe Acute Respiratory Syndrome (SARS) and pandemic influenza. Health care workers and workers in related occupations, or who are exposed in other high-risk environments, are at increased risk of contracting TB, SARS, Methicillin-resistant Staphylococcus aureus (MRSA), and other infectious diseases that can be transmitted through a variety of exposure routes. OSHA is concerned about the ability of employees to continue to provide health care and other critical services without unreasonably jeopardizing their health. OSHA is considering the need for a standard to ensure that employers establish a comprehensive infection control program and control measures to protect employees from infectious disease exposures to pathogens that can cause significant disease. Workplaces where such control measures might be necessary include: health care, emergency response, correctional facilities, homeless shelters, drug treatment programs, and other occupational settings where employees can be at increased risk of exposure to potentially infectious people. A standard could also apply to laboratories, which handle materials that may be a source of pathogens, and to pathologists, coroners' offices, medical examiners, and mortuaries.

Timetable:

Action	Date	FR Cite
Request for Information (RFI).	05/06/10	75 FR 24835
RFI Comment Period End.	08/04/10	
Analyze Comments.	12/30/10	
Stakeholder Meetings.	07/05/11	76 FR 39041
Initiate SBREFA	06/04/14	
Complete SBREFA.	12/22/14	
NPRM	12/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William Perry, Director, Directorate of Standards and Guidance, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue NW., Room N–3718, FP Building, Washington, DC 20210, *Phone:* 202 693–1950, *Fax:* 202 693–1678, *Email: perry.bill@dol.gov*.

RIN: 1218–AC46

181. Injury and Illness Prevention Program

Legal Authority: 29 U.S.C. 653; 29 U.S.C. 655(b); 29 U.S.C. 657

Abstract: OSHA is developing a rule requiring employers to implement an Injury and Illness Prevention Program. It involves planning, implementing, evaluating, and improving processes and activities that protect employee safety and health. OSHA has substantial data on reductions in injuries and illnesses from employers who have implemented similar effective

processes. The Agency currently has voluntary Safety and Health Program Management Guidelines (54 FR 3904 to 3916), published in 1989. An injury and illness prevention program rule would build on these guidelines as well as lessons learned from successful approaches and best practices under OSHA's Voluntary Protection Program, Safety and Health Achievement Recognition Program, and similar industry and international initiatives such as American National Standards Institute/American Industrial Hygiene Association Z10, and Occupational Health and Safety Assessment Series 18001.

Timetable:

Action	Date	FR Cite
Notice of Stakeholder Meetings.	05/04/10	75 FR 23637
Notice of Additional Stakeholder Meetings.	06/22/10	75 FR 35360
Initiate SBREFA ..	01/06/12	
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: William Perry, Director, Directorate of Standards and Guidance, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue NW., Room N–3718, FP Building, Washington, DC 20210, *Phone:* 202 693–1950, *Fax:* 202 693–1678, *Email: perry.bill@dol.gov*.

RIN: 1218–AC48

182. Preventing Backover Injuries and Fatalities

Legal Authority: 29 U.S.C. 655(b)

Abstract: OSHA published a Request for Information (RFI) (77 FR 18973; March 29, 2012) that sought information on two subjects: (1) Preventing backover injuries; and (2) the hazards and risks of reinforcing concrete operations in construction, including post-tensioning. Backing vehicles and equipment are common causes of struck-by injuries and can also cause caught-between injuries when backing vehicles and equipment pin a worker against an object. Struck-by injuries and caught-between injuries are two of the four leading causes of workplace fatalities. The Bureau of Labor Statistics reports that in 2011, 75 workers were fatally backed over while working. While many backing incidents can prove to be fatal, workers can suffer severe, non-fatal injuries as well. A review of OSHA's Integrated Management Information System (IMIS) database found that backing incidents can result in serious injury to the back and pelvis, fractured bones, concussions, amputations, and other injuries. Emerging technologies in the field of backing operations may prevent incidents. The technologies include cameras and proximity detection systems. The use of spotters and internal traffic control plans can also make backing operations safer. The Agency has held stakeholder meetings on backovers, and is conducting site visits to employers.

Timetable:

Action	Date	FR Cite
Request for Information (RFI).	03/29/12	77 FR 18973
RFI Comment Period End.	07/27/12	
Initiate SBREFA ..	06/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jim Maddux, Director, Directorate of Construction, Department of Labor, Occupational Safety and Health Administration, Room N–3468, FP Building, 200 Constitution Avenue NW., Washington, DC 20210, *Phone:* 202 693–2020, *Fax:* 202 693–1689, *Email: maddux.jim@dol.gov*.

RIN: 1218–AC51

DEPARTMENT OF LABOR (DOL)

Occupational Safety and Health Administration (OSHA)

Completed Actions

183. Confined Spaces in Construction

Legal Authority: 29 U.S.C. 655(b); 40 U.S.C. 333

Abstract: In 1993, OSHA issued a rule to protect employees who enter confined spaces while engaged in general industry work (29 CFR 1910.146). This standard has not been extended to cover employees entering confined spaces while engaged in construction work because of unique characteristics of construction work sites. Pursuant to discussions with the United Steel Workers of America that led to a settlement agreement regarding the general industry standard, OSHA agreed to issue a proposed rule to protect construction workers in confined spaces.

Timetable:

Action	Date	FR Cite
SBREFA Panel Report.	11/24/03	
NPRM	11/28/07	72 FR 67351
NPRM Comment Period End.	01/28/08	
NPRM Comment Period Extended.	02/28/08	73 FR 3893
Public Hearing	07/22/08	
Close Record	10/23/08	
Final Rule	05/04/15	80 FR 25365
Final Rule Effective.	08/03/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jim Maddux, Director, Directorate of Construction, Department of Labor, Occupational Safety and Health Administration, Room N–3468, FP Building, 200 Constitution Avenue NW., Washington, DC 20210, *Phone:* 202 693–2020, *Fax:* 202 693–1689, *Email: maddux.jim@dol.gov*.

RIN: 1218–AB47

[FR Doc. 2015–14356 Filed 6–17–15; 8:45 am]

BILLING CODE 4510–04–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XII

Department of Transportation

Unified Agenda

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Chs. I–III

23 CFR Chs. I–III

33 CFR Chs. I and IV

46 CFR Chs. I–III

48 CFR Ch. 12

49 CFR Subtitle A, Chs. I–VI, and Chs. X–XII

[OST Docket 99–5129]

Department Regulatory Agenda; Semiannual Summary

AGENCY: Office of the Secretary, DOT.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Regulatory Agenda is a semiannual summary of all current and projected rulemakings, reviews of existing regulations, and completed actions of the Department. The intent of the Agenda is to provide the public with information about the Department of Transportation's regulatory activity planned for the next 12 months. It is expected that this information will enable the public to more effectively participate in the Department's regulatory process. The public is also invited to submit comments on any aspect of this Agenda.

FOR FURTHER INFORMATION CONTACT:

General

You should direct all comments and inquiries on the Agenda in general to Jonathan Moss, Acting Assistant General Counsel for Regulation and Enforcement, Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590; (202) 366–4723.

Specific

You should direct all comments and inquiries on particular items in the Agenda to the individual listed for the regulation or the general rulemaking contact person for the operating administration in appendix B.

Table of Contents

Supplementary Information:
Background
Significant/Priority Rulemakings
Explanation of Information on the Agenda
Request for Comments
Purpose
Appendix A—Instructions for Obtaining Copies of Regulatory Documents
Appendix B—General Rulemaking Contact Persons
Appendix C—Public Rulemaking Dockets
Appendix D—Review Plans for Section 610 and Other Requirements

SUPPLEMENTARY INFORMATION:

Background

Improvement of our regulations is a prime goal of the Department of Transportation (Department or DOT). Our regulations should be clear, simple, timely, fair, reasonable, and necessary. They should not be issued without appropriate involvement of the public; once issued, they should be periodically reviewed and revised, as needed, to ensure that they continue to meet the needs for which they originally were designed. To view additional information about the Department's regulatory activities online, go to *http://www.dot.gov/regulations.* Among other things, this Web site provides a report updated monthly on the status of the DOT significant rulemakings listed in the semiannual regulatory agenda.

To help the Department achieve its goals and in accordance with Executive Order (EO) 12866, ''Regulatory Planning and Review,'' (58 FR 51735; Oct. 4, 1993) and the Department's Regulatory Policies and Procedures (44 FR 11034; Feb. 26, 1979), the Department prepares a semiannual regulatory agenda. It summarizes all current and projected rulemakings, reviews of existing regulations, and completed actions of the Department. These are matters on which action has begun or is projected during the next 12 months or for which action has been completed since the last Agenda.

The Agendas are based on reports submitted by the offices initiating the rulemaking and are reviewed by OST.

The Internet is the basic means for disseminating the Unified Agenda. The complete Unified Agenda is available online at *www.reginfo.gov* in a format that offers users a greatly enhanced ability to obtain information from the Agenda database.

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), DOT's printed Agenda entries include only:

1. The agency's Agenda preamble;
2. Rules that are in the agency's regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and
3. Any rules that the agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's Agenda requirements. These elements are: Sequence Number; Title; Section 610 Review, if applicable; Legal Authority; Abstract; Timetable; Regulatory Flexibility Analysis Required; Agency Contact; and Regulation Identifier Number (RIN). Additional information (for detailed list, see section heading ''Explanation of Information on the Agenda'') on these entries is available in the Unified Agenda published on the Internet.

Significant Rulemakings

The Agenda covers all rules and regulations of the Department. We have classified rules as significant in the Agenda if they are, essentially, very beneficial, controversial, or of substantial public interest under our Regulatory Policies and Procedures. All DOT significant rulemaking documents are subject to review by the Secretary of Transportation. If the Office of Management and Budget (OMB) decided a rule is subject to its review under Executive Order 12866, we have also classified it as significant in the Agenda.

Explanation of Information on the Agenda

An Office of Management and Budget memorandum, dated February 23, 2015, requires the format for this Agenda.

First, the Agenda is divided by initiating offices. Then the Agenda is divided into five categories: (1) Prerule stage, (2) proposed rule stage, (3) final rule stage, (4) long-term actions, and (5) completed actions. For each entry, the Agenda provides the following information: (1) Its ''significance''; (2) a short, descriptive title; (3) its legal basis; (4) the related regulatory citation in the Code of Federal Regulations; (5) any legal deadline and, if so, for what action (*e.g.,* NPRM, final rule); (6) an abstract; (7) a timetable, including the earliest expected date for a decision on whether to take the action; (8) whether the rulemaking will affect small entities and/or levels of Government and, if so, which categories; (9) whether a Regulatory Flexibility Act (RFA) analysis is required (for rules that would have a significant economic impact on a substantial number of small entities); (10) a listing of any analyses an office will prepare or has prepared for the action (with minor exceptions, DOT requires an economic analysis for all its rulemakings); (11) an agency contact office or official who can provide further information; (12) a Regulation Identifier Number (RIN) assigned to identify an individual rulemaking in the

Agenda and facilitate tracing further action on the issue; (13) whether the action is subject to the Unfunded Mandates Reform Act; (14) whether the action is subject to the Energy Act; and (15) whether the action is major under the congressional review provisions of the Small Business Regulatory Enforcement Fairness Act. If there is information that does not fit in the other categories, it will be included under a separate heading entitled ''Additional Information.'' One such example of this is the letters ''SB,'' ''IC,'' and ''SLT.'' These refer to information used as part of our required reports on Retrospective Review of DOT rulemakings. A ''Y'' or an ''N,'' for yes and no, respectively, follow the letters to indicate whether or not a particular rulemaking would have effects on: Small businesses (SB); information collections (IC); or State, local, or tribal (SLT) governments.

For nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements (such as the Federal Aviation Administration's Airspace Rules), to keep those requirements operationally current, we only include the general category of the regulations, the identity of a contact office or official, and an indication of the expected number of regulations; we do not list individual regulations.

In the ''Timetable'' column, we use abbreviations to indicate the particular documents being considered. ANPRM stands for Advance Notice of Proposed Rulemaking, SNPRM for Supplemental Notice of Proposed Rulemaking, and NPRM for Notice of Proposed Rulemaking. Listing a future date in this column does not mean we have made a decision to issue a document; it is the earliest date on which we expect to make a decision on whether to issue it. In addition, these dates are based on current schedules. Information received after the issuance of this Agenda could result in a decision not to take regulatory action or in changes to proposed publication dates. For example, the need for further evaluation could result in a later publication date; evidence of a greater need for the regulation could result in an earlier publication date.

Finally, a dot (•) preceding an entry indicates that the entry appears in the Agenda for the first time.

Request for Comments

General

Our agenda is intended primarily for the use of the public. Since its inception, we have made modifications and refinements that we believe provide the public with more helpful information, as well as making the Agenda easier to use. We would like you, the public, to make suggestions or comments on how the Agenda could be further improved.

Reviews

We also seek your suggestions on which of our existing regulations you believe need to be reviewed to determine whether they should be revised or revoked. We particularly draw your attention to the Department's review plan in appendix D. In response to Executive Order 13563 ''Retrospective Review and Analysis of Existing Rules,'' in 2011 we prepared a retrospective review plan providing more detail on the process we use to conduct reviews of existing rules, including changes in response to Executive Order 13563. We provided the public opportunities to comment at *www.regulations.gov* and Idea Scale on both our process and any existing DOT rules the public thought needed review. The plan and the results of our review can be found at *http://www.dot.gov/regulations.*

Regulatory Flexibility Act

The Department is especially interested in obtaining information on requirements that have a ''significant economic impact on a substantial number of small entities'' and, therefore, must be reviewed under the Regulatory Flexibility Act. If you have any suggested regulations, please submit them to us, along with your explanation of why they should be reviewed.

In accordance with the Regulatory Flexibility Act, comments are specifically invited on regulations that we have targeted for review under section 610 of the Act. The phrase (sec. 610 Review) appears at the end of the title for these reviews. Please see appendix D for the Department's section 610 review plans.

Consultation With State, Local, and Tribal Governments

Executive Orders 13132 and 13175 require us to develop an accountable process to ensure ''meaningful and timely input'' by State, local, and tribal officials in the development of regulatory policies that have federalism or tribal implications. These policies are defined in the Executive orders to include regulations that have ''substantial direct effects'' on States or Indian tribes, on the relationship between the Federal Government and them, or on the distribution of power and responsibilities between the Federal Government and various levels of Government or Indian tribes. Therefore, we encourage State and local Governments or Indian tribes to provide us with information about how the Department's rulemakings impact them.

Purpose

The Department is publishing this regulatory Agenda in the **Federal Register** to share with interested members of the public the Department's preliminary expectations regarding its future regulatory actions. This should enable the public to be more aware of the Department's regulatory activity and should result in more effective public participation. This publication in the **Federal Register** does not impose any binding obligation on the Department or any of the offices within the Department with regard to any specific item on the Agenda. Regulatory action, in addition to the items listed, is not precluded.

Dated: April 16, 2015.

Anthony R. Foxx,

Secretary of Transportation.

Appendix A—Instructions for Obtaining Copies of Regulatory Documents

To obtain a copy of a specific regulatory document in the Agenda, you should communicate directly with the contact person listed with the regulation at the address below. We note that most, if not all, such documents, including the Semiannual Regulatory Agenda, are available through the Internet at *http://www.regulations.gov.* See appendix C for more information.

(Name of contact person), (Name of the DOT agency), 1200 New Jersey Avenue SE., Washington, DC 20590. (For the Federal Aviation Administration, substitute the following address: Office of Rulemaking, ARM–1, 800 Independence Avenue SW., Washington, DC 20591).

Appendix B—General Rulemaking Contact Persons

The following is a list of persons who can be contacted within the Department for general information concerning the rulemaking process within the various operating administrations.

FAA—Mark Bury, Chief Counsel, International Law, Legislation and Regulations Division, 800 Independence Avenue SW., Room 915A, Washington, DC 20591; telephone (202) 267–3110.

FHWA—Jennifer Outhouse, Office of Chief Counsel, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366–0761.

FMCSA—Steven J. LaFreniere, Regulatory Ombudsman, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366–0596.

NHTSA—Steve Wood, Office of Chief Counsel, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366–2992.

FRA—Kathryn Gresham, Office of Chief Counsel, 1200 New Jersey Avenue SE., Room W31–214, Washington, DC 20590; telephone (202) 493–6063.

FTA—Bonnie Graves, Office of Chief Counsel, 1200 New Jersey Avenue SE., Room E56–308, Washington, DC 20590; telephone (202) 366–0675.

SLSDC—Carrie Mann Lavigne, Chief Counsel, 180 Andrews Street, Massena, NY 13662; telephone (315) 764–3200.

PHMSA—Karin Christian, Office of Chief Counsel, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366–4400.

MARAD—Christine Gurland, Office of Chief Counsel, Maritime Administration, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366–5157.

OST—Jonathan Moss, Office of Regulation and Enforcement, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366–4723.

Appendix C—Public Rulemaking Dockets

All comments via the Internet are submitted through the Federal Docket Management System (FDMS) at the following address: *http://www.regulations.gov.* The FDMS allows the public to search, view, download, and comment on all Federal agency rulemaking documents in one central online system. The above referenced Internet address also allows the public to sign up to receive notification when certain documents are placed in the dockets.

The public also may review regulatory dockets at or deliver comments on proposed rulemakings to the Dockets Office at 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, 1–800–647–5527. Working Hours: 9:00 a.m. to 5:00 p.m.

Appendix D—Review Plans for Section 610 and Other Requirements

Part I—The Plan

General

The Department of Transportation has long recognized the importance of regularly reviewing its existing regulations to determine whether they need to be revised or revoked. Our Regulatory Policies and Procedures require such reviews. We also have responsibilities under Executive Order 12866, ''Regulatory Planning and Review,'' and section 610 of the Regulatory Flexibility Act to conduct such reviews. This includes the use of plain language techniques in new rules and considering its use in existing rules when we have the opportunity and resources to permit its use. We are committed to continuing our reviews of existing rules and, if it is needed, will initiate rulemaking actions based on these reviews.

In accordance with Executive Order 13563, ''Improving Regulation and Regulatory Review,'' issued by the President on January 18, 2011, the Department has added other elements to its review plan. The Department has decided to improve its plan by adding special oversight processes within the Department, encouraging effective and timely reviews, including providing additional guidance on particular problems that warrant review, and expanding opportunities for public participation. These new actions are in addition to the other steps described in this appendix.

Section 610 Review Plan

Section 610 requires that we conduct reviews of rules that: (1) Have been published within the last 10 years, and (2) have a ''significant economic impact on a substantial number of small entities'' (SEIOSNOSE). It also requires that we publish in the **Federal Register** each year a list of any such rules that we will review during the next year. The Office of the Secretary and each of the Department's Operating Administrations have a 10-year review plan. These reviews comply with section 610 of the Regulatory Flexibility Act.

Changes to the Review Plan

Some reviews may be conducted earlier than scheduled. For example, to the extent resources permit, the plain language reviews will be conducted more quickly. Other events, such as accidents, may result in the need to conduct earlier reviews of some rules. Other factors may also result in the need to make changes; for example, we may make changes in response to public comment on this plan or in response to a presidentially mandated review. If there is any change to the review plan, we will note the change in the following Agenda. For any section 610 review, we will provide the required notice prior to the review.

Part II—The Review Process

The Analysis

Generally, the agencies have divided their rules into 10 different groups and plan to analyze one group each year. For purposes of these reviews, a year will coincide with the fall-to-fall schedule for publication of the Agenda. Thus, Year 1 (2008) begins in the fall of 2008 and ends in the fall of 2009; Year 2 (2009) begins in the fall of 2009 and ends in the fall of 2010, and so on. We request public comment on the timing of the reviews. For example, is there a reason for scheduling an analysis and review for a particular rule earlier than we have? Any comments concerning the plan or particular analyses should be submitted to the regulatory contacts listed in appendix B, General Rulemaking Contact Persons.

Section 610 Review

The agency will analyze each of the rules in a given year's group to determine whether any rule has a SEIOSNOSE and, thus, requires review in accordance with section 610 of the Regulatory Flexibility Act. The level of analysis will, of course, depend on the nature of the rule and its applicability. Publication of agencies' section 610 analyses listed each fall in this Agenda provides the public with notice and an opportunity to comment consistent with the requirements of the Regulatory Flexibility Act. We request that public comments be submitted to us early in the analysis year concerning the small entity impact of the rules to help us in making our determinations.

In each fall Agenda, the agency will publish the results of the analyses it has completed during the previous year. For rules that had a negative finding on SEIOSNOSE, we will give a short explanation (*e.g.,* ''these rules only establish petition processes that have no cost impact'' or ''these rules do not apply to any small entities''). For parts, subparts, or other discrete sections of rules that do have a SEIOSNOSE, we will announce that we will be conducting a formal section 610 review during the following 12 months. At this stage, we will add an entry to the Agenda in the prerulemaking section describing the review in more detail. We also will seek public comment on how best to lessen the impact of these rules and provide a name or docket to which public comments can be submitted. In some cases, the section 610 review may be part of another unrelated review of the rule. In such a case, we plan to clearly indicate which parts of the review are being conducted under section 610.

Other Reviews

The agency will also examine the specified rules to determine whether any other reasons exist for revising or revoking the rule or for rewriting the rule in plain language. In each fall Agenda, the agency will also publish

information on the results of the examinations completed during the previous year.

Part III—List of Pending Section 610 Reviews

The Agenda identifies the pending DOT section 610 Reviews by inserting ''(Section 610 Review)'' after the title for the specific entry. For further information on the pending reviews, see the Agenda entries at *www.reginfo.gov.* For example, to obtain a list of all entries that are in section 610 Reviews under the Regulatory Flexibility Act, a user would select the desired responses on the search screen (by selecting ''advanced search'') and, in effect, generate the desired ''index'' of reviews.

Office of the Secretary

Section 610 and Other Reviews

Year	Regulations to be reviewed	Analysis year	Review year
1	49 CFR parts 91 through 99 and 14 CFR parts 200 through 212	2008	2009
2	48 CFR parts 1201 through 1253 and new parts and subparts	2009	2010
3	14 CFR parts 213 through 232	2010	2011
4	14 CFR parts 234 through 254	2011	2012
5	14 CFR parts 255 through 298 and 49 CFR part 40	2012	2013
6	14 CFR parts 300 through 373	2013	2014
7	14 CFR parts 374 through 398	2014	2015
8	14 CFR part 399 and 49 CFR parts 1 through 11	2015	2016
9	49 CFR parts 17 through 28	2016	2017
10	49 CFR parts 29 through 39 and parts 41 through 89	2017	2018

Year 1 (Fall 2008) List of Rules With Ongoing Analysis

49 CFR part 91—International Air Transportation Fair Competitive Practices
49 CFR part 92—Recovering Debts to the United States by Salary Offset
49 CFR part 98—Enforcement of Restrictions on Post-Employment Activities
49 CFR part 99—Employee Responsibilities and Conduct
14 CFR part 200—Definitions and Instructions
14 CFR part 201—Air Carrier Authority Under Subtitle VII of Title 49 of the United States Code [Amended]
14 CFR part 203—Waiver of Warsaw Convention Liability Limits and Defenses
14 CFR part 204—Data to Support Fitness Determinations
14 CFR part 205—Aircraft Accident Liability Insurance
14 CFR part 206—Certificates of Public Convenience and Necessity: Special Authorizations and Exemptions
14 CFR part 207—Charter Trips by U.S. Scheduled Air Carriers
14 CFR part 208—Charter Trips by U.S. Charter Air Carriers
14 CFR part 211—Applications for Permits to Foreign Air Carriers
14 CFR part 212—Charter Rules for U.S. and Foreign Direct Air Carriers

Year 3 (Fall 2010) List of Rules With Ongoing Analysis

14 CFR part 213—Terms, Conditions, and Limitations of Foreign Air Carrier Permits
14 CFR part 214—Terms, Conditions, and Limitations of Foreign Air Carrier Permits Authorizing Charter Transportation Only
14 CFR part 215—Use and Change of Names of Air Carriers, Foreign Air Carriers, and Commuter Air Carriers
14 CFR part 216—Commingling of Blind Sector Traffic by Foreign Air Carriers
14 CFR part 217—Reporting Traffic Statistics by Foreign Air Carriers in Civilian Scheduled, Charter, and Nonscheduled Services
14 CFR part 218—Lease by Foreign Air Carrier or Other Foreign Person of Aircraft With Crew
14 CFR part 221—Tariffs
14 CFR part 222—Intermodal Cargo Services by Foreign Air Carriers
14 CFR part 223—Free and Reduced-Rate Transportation
14 CFR part 232—Transportation of Mail, Review of Orders of Postmaster General
14 CFR part 234—Airline Service Quality Performance Reports

Year 4 (Fall 2011) List of Rules With Ongoing Analysis

14 CFR part 240—Inspection of Accounts and Property
14 CFR part 241—Uniform System of Accounts and Reports for Large Certificated Air Carriers
14 CFR part 243—Passenger Manifest Information
14 CFR part 247—Direct Airport-to-Airport Mileage Records
14 CFR part 248—Submission of Audit Reports
14 CFR part 249—Preservation of Air Carrier Records

Year 5 (Fall 2012) List of Rules With Ongoing Analysis

14 CFR part 255—Airline Computer Reservations Systems
14 CFR part 256—[Reserved]
14 CFR part 271—Guidelines for Subsidizing Air Carriers Providing Essential Air Transportation
14 CFR part 272—Essential Air Service to the Freely Associated States
14 CFR part 291—Cargo Operations in Interstate Air Transportation
14 CFR part 292—International Cargo Transportation
14 CFR part 293—International Passenger Transportation
14 CFR part 294—Canadian Charter Air Taxi Operators
14 CFR part 296—Indirect Air Transportation of Property
14 CFR part 297—Foreign Air Freight Forwarders and Foreign Cooperative Shippers Associations
14 CFR part 298—Exemptions for Air Taxi and Commuter Air Carrier Operations

Year 6 (2013) List of Rules With Ongoing Analysis

14 CFR part 300—Rules of Conduct in DOT Proceedings Under This Chapter
14 CFR part 302—Rules of Practice in Proceedings
14 CFR part 303—Review of Air Carrier Agreements
14 CFR part 305—Rules of Practice in Informal Nonpublic Investigations
14 CFR part 313—Implementation of the Energy Policy and Conservation Act
14 CFR part 323—Terminations, Suspensions, and Reductions of Service
14 CFR part 325—Essential Air Service Procedures
14 CFR part 330—Procedures For Compensation of Air Carriers
14 CFR part 372—Overseas Military Personnel Charters

Year 7 (2014) List of Rules That Will be Analyzed During the Next Year

14 CFR part 374—Implementation of the Consumer Credit Protection Act with Respect to Air Carriers and Foreign Air Carriers
14 CFR part 374a—Extension of Credit by Airlines to Federal Political Candidates
14 CFR part 375—Navigation of Foreign Civil Aircraft within the United States
14 CFR part 377—Continuance of Expired Authorizations by Operation of Law Pending Final Determination of Applications for Renewal Thereof
14 CFR part 380—Public Charters
14 CFR part 381—Special Event Tours
14 CFR part 382—Nondiscrimination On The Basis Of Disability in Air Travel
14 CFR part 383—Civil Penalties
14 CFR part 385—Staff Assignments and Review of Action under Assignments
14 CFR part 389—Fees and Charges for Special Services
14 CFR part 398—Guidelines for Individual Determinations of Basic Essential Air Service

Federal Aviation Administration

Section 610 Review Plan

The FAA has elected to use the two-step, two-year process used by most DOT modes in past plans. As such, the FAA has divided its rules into 10 groups as displayed in the table below. During the first year (the ''*analysis year*''), all rules published during the previous 10 years within a 10% block of the regulations will be *analyzed* to identify those with a SEIOSNOSE. During the second year (the ''*review year*''), each rule identified in the analysis year as having a SEIONOSE will be *reviewed* in accordance with Section 610 (b) to determine if it should be continued without change or changed to minimize impact on small entities. Results of those reviews will be published in the DOT Semiannual Regulatory Agenda.

Year	Regulations to be reviewed	Analysis year	Review year
1	14 CFR parts 119 through 129 and parts 150 through 156	2008	2009
2	14 CFR parts 133 through 139 and parts 157 through 169	2009	2010
3	14 CFR parts 141 through 147 and parts 170 through 187	2010	2011
4	14 CFR parts 189 through 198 and parts 1 through 16	2011	2012
5	14 CFR parts 17 through 33	2012	2013
6	14 CFR parts 34 through 39 and parts 400 through 405	2013	2014
7	14 CFR parts 43 through 49 and parts 406 through 415	2014	2015
8	14 CFR parts 60 through 77	2015	2016
9	14 CFR parts 91 through 105	2016	2017
10	14 CFR parts 417 through 460	2017	2018

Year 7 (2014) List of Rules Analyzed and Summary of Results

14 CFR part 43—Maintenance, Preventive maintenance, Rebuilding, and Alteration
- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

14 CFR part 45—Identification and Registration Marking
- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

14 CFR part 47—Aircraft Registration
- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

14 CFR part 49—Recording of Aircraft Titles and Security Documents
- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

14 CFR part 406—Investigations, Enforcement, and Administrative Review
- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

14 CFR part 413—License Application Procedures
- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

14 CFR part 414—Safety Approvals
- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

14 CFR part 415—Launch License
- Section 610: The agency conducted a Section 610 review of this part and found no SEISNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FAA's plain language review of these rules indicates no need for substantial revision.

Year 8 (2015) List of Rules To Be Analyzed During the Next Year

14 CFR part 60—Flight Simulation Training Device Initial and Continuing Qualification and Use
14 CFR part 61—Certification: Pilots, Flight Instructors, and Ground Instructors
14 CFR part 63—Certification: Flight Crewmembers other than Pilots
14 CFR part 65—Certification: Airmen other than Flight Crewmembers
14 CFR part 67—Medical Standards and Certification
14 CFR part 71—Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points
14 CFR part 73—Special Use Airspace

14 CFR part 77—Safe, Efficient Use, and Preservation of the Navigable Airspace

Federal Highway Administration

Section 610 and Other Reviews

Year	Regulations to be reviewed	Analysis year	Review year
1	None	2008	2009
2	23 CFR parts 1 to 260	2009	2010
3	23 CFR parts 420 to 470	2010	2011
4	23 CFR part 500	2011	2012
5	23 CFR parts 620 to 637	2012	2013
6	23 CFR parts 645 to 669	2013	2014
7	23 CFR parts 710 to 924	2014	2015
8	23 CFR parts 940 to 973	2015	2016
9	23 CFR parts 1200 to 1252	2016	2017
10	New parts and subparts	2017	2018

Federal-Aid Highway Program

The Federal Highway Administration (FHWA) has adopted regulations in title 23 of the CFR, chapter I, related to the Federal-Aid Highway Program. These regulations implement and carry out the provisions of Federal law relating to the administration of Federal aid for highways. The primary law authorizing Federal aid for highway is chapter I of title 23 of the U.S.C. 145 of title 23, expressly provides for a federally assisted State program. For this reason, the regulations adopted by the FHWA in title 23 of the CFR primarily relate to the requirements that States must meet to receive Federal funds for the construction and other work related to highways. Because the regulations in title 23 primarily relate to States, which are not defined as small entities under the Regulatory Flexibility Act, the FHWA believes that its regulations in title 23 do not have a significant economic impact on a substantial number of small entities. The FHWA solicits public comment on this preliminary conclusion.

Year 6 (Fall 2013) List of Rules Analyzed and a Summary of Results

23 CFR part 645—Utilities
- Section 610: No SEIOSNOSE. No small entities are affected
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

23 CFR part 646—Railroads
- Section 610: No SEIOSNOSE. No small entities are affected
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

23 FR part 650—Bridges, Structures, and Hydraulics
- Section 610: No SEIOSNOSE. No small entities are affected
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

23 CFR part 652—Pedestrian and Bicycle Accommodations and Projects
- Section 610: No SEIOSNOSE. No small entities are affected
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

23 CFR part 655—Traffic Operations
- Section 610: No SEIOSNOSE. No small entities are affected
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

23 CFR part 656—Carpool and Vanpool Projects
- Section 610: No SEIOSNOSE. No small entities are affected
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

23 CFR part 657—Certification of Size and Weight Enforcement
- Section 610: No SEIOSNOSE. No small entities are affected
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

23 CFR part 658—Truck Size and Weight, Route Designations—Length, Width and Weight Limitations
- Section 610: No SEIOSNOSE. No small entities are affected
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

23 CFR part 660—Special Programs (Direct Federal)
- Section 610: No SEIOSNOSE. No small entities are affected
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

23 CFR part 661—Indian Reservation Road Bridge Program
- Section 610: No SEIOSNOSE. No small entities are affected
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

23 CFR part 668—Emergency Relief Program
- Section 610: No SEIOSNOSE. No small entities are affected
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

23 CFR part 669—Enforcement of Heavy Vehicle Use Tax
- Section 610: No SEIOSNOSE. No small entities are affected
- General: No changes are needed. These regulations are cost effective and impose the least burden. FHWA's plain language review of these rules indicates no need for substantial revision.

Year 7 (Fall 2014) List of Rules That Will Be Analyzed During the Next Year

23 CFR part 710—Right-of-Way and Real Estate

23 CFR part 750—Highway Beautification

23 CFR part 751—Junkyard Control and Acquisition

23 CFR part 752—Landscape and Roadside Development

23 CFR part 771—Environmental Impact and Related Procedures

23 CFR part 772—Procedures for Abatement of Highway Traffic Noise and Construction Noise

23 CFR part 773—Surface Transportation Project Delivery Pilot Program

23 CFR part 774—Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites (Section 4(f))

23 CFR part 777—Mitigation of Impacts to Wetlands and Natural Habitat

23 CFR part 810—Mass Transit and Special Use Highway Projects

23 CFR part 924—Highway Safety Improvement Program

Federal Motor Carrier Safety Administration

Section 610 and Other Reviews

Year	Regulations to be reviewed	Analysis year	Review year
1	49 CFR part 372, subpart A	2008	2009
2	49 CFR part 386	2009	2010
3	49 CFR parts 325 and 390 (General)	2010	2011
4	49 CFR parts 390 (Small Passenger-Carrying Vehicles), 391 to 393 and 396 to 399	2011	2012
5	49 CFR part 387	2012	2013
6	49 CFR parts 356, 367, 369 to 371, 372 (subparts B and C)	2013	2014
7	49 CFR parts 373, 374, 376, and 379	2014	2015
8	49 CFR parts 360, 365, 366, and 368	2015	2016
9	49 CFR part 395	2016	2017
10	49 CFR parts 375, 377, 378	2017	2018

Year 3 (Fall 2010) List of Rules With Ongoing Analysis

49 CFR part 325—Compliance With Interstate Motor Carrier Noise Emission

49 CFR part 390—Federal Motor Carrier Safety Regulations, General

Year 4 (Fall 2011) List of Rules Analyzed and a Summary of Results

49 CFR part 399—Employee Safety and Health Standards

- Section 610: The agency conducted a Section 610 review of these parts and found no SEIOSNOSE. While these parts affect a substantial number of small entities, the current requirements are prudent business practices and do *not* impose a significant economic impact.
- General: No changes are needed. These regulations are cost effective and impose the least burden. FMCSA's plain language review of these rules indicates no need for substantial revision.

Year 4 (Fall 2011) List of Rules With Ongoing Analysis

49 CFR part 390—Definition of Commercial Motor Vehicle (CMV)—Requirements for Operators of Small Passenger-Carrying CMVs.

- *This rule was moved up from Year 4 as a result of the Department's Retrospective Regulatory Review.*

49 CFR part 391—Driver Qualifications

49 CFR part 392—Driving of Commercial Motor Vehicles

49 CFR part 393—Parts and Accessories Necessary for Safe Operation

49 CFR part 396—Inspection, Repair and Maintenance of Commercial Motor Vehicles

49 CFR part 397—Transportation of Hazardous Materials; Driving and Parking Rules

49 CFR part 398—Transportation of Migrant Workers

Year 5 (Fall 2012) List of Rules Analyzed and a Summary of Results

49 CFR part 387—Minimum Levels of Financial Responsibility for Motor Carriers

- Section 610: The agency conducted a Section 610 review of this part and found no SEIOSNOSE. While part 387 affects a substantial number of small entities, the currently required minimum levels of financial responsibility do *not* impose a significant economic impact because the industry standard imposed by lenders requires an even higher level of coverage.
- General: On July 6, 2012, the President signed Moving Ahead for Progress in the 21st Century Act (MAP–21) into law. Section 32104 of MAP–21 directed the Secretary to issue a report on the appropriateness of: (1) The current minimum financial responsibility requirements for the transportation of passengers and property and (2) the current bond and insurance requirements for freight forwarders and brokers, including for brokers for motor carriers of passengers. FMCSA issued this report in April 2014. Section 32104 also directed the Secretary to determine the appropriateness of these requirements every four years and to issue similar reports to Congress. In its April 2014 report, FMCSA concluded that the current financial responsibility minimums are inadequate to cover the costs of some crashes. FMCSA is drafting an Advance Notice of Proposed Rulemaking to consider increasing the current levels of minimum financial responsibility.

Year 6 (Fall 2013) List of Rule(s) With Ongoing Analysis

49 CFR part 356—Motor Carrier Routing Regulations

49 CFR part 367—Standards for Registration With States

49 CFR part 369—Reports of Motor Carriers

49 CFR part 370—Principles and Practices for the Investigation and Voluntary Disposition of Loss and Damage Claims and Processing Salvage

49 CFR part 371—Brokers of Property

49 CFR part 372 (subparts B and C)—Exemptions, Commercial Zones and Terminal Areas

Year 7 (Fall 2014) List of Rule(s) That Will Be Analyzed This Year

49 CFR part 373—Receipts and Bills

49 CFR part 374—Discrimination in Operations of Interstate Motor Common Carriers of Passengers

49 CFR part 376—Lease and Interchange of Vehicles

49 CFR part 379—Preservation of Records

National Highway Traffic Safety Administration

Section 610 and Other Reviews

Year	Regulations to be reviewed	Analysis year	Review year
1	49 CFR parts 571.223 through 571.500, and parts 575 and 579	2008	2009
2	23 CFR parts 1200 through 1300	2009	2010
3	49 CFR parts 501 through 526 and 571.213	2010	2011
4	49 CFR parts 571.131, 571.217, 571.220, 571.221, and 571.222	2011	2012
5	49 CFR parts 571.101 through 571.110, and 571.135, 571.138, and 571.139	2012	2013
6	49 CFR parts 529 through 578, except parts 571 and 575	2013	2014
7	49 CFR parts 571.111 through 571.129 and parts 580 through 588	2014	2015
8	49 CFR parts 571.201 through 571.212	2015	2016
9	49 CFR parts 571.214 through 571.219, except 571.217	2016	2017
10	49 CFR parts 591 through 595 and new parts and subparts	2017	2018

Year 6 (Fall 2013) List of Rules Analyzed and a Summary of the Results

49 CFR part 529—Manufacturers of Multistage Automobiles

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 531—Passenger Automobile Average Fuel Economy

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 533—Light Truck Fuel Economy Standards

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 534—Rights and Responsibilities of Manufacturers in the Context of Changes in Corporate Relationships

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 535—Medium- and Heavy-Duty Vehicle Fuel Efficiency Program

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 536—Transfer and Trading of Fuel Economy Credits

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 537—Automotive Fuel Economy Reports

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 538—Manufacturing Incentives for Alternative Fuel Vehicles

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 541—Federal Motor Vehicle Theft Prevention Standard

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 542—Procedures for Selecting Light Duty Truck Lines to be Covered by the Theft Prevention Standard

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 543—Exemption From Vehicle Theft Prevention Standard

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 545—Federal Motor Vehicle Theft Prevention Standard Phase-In and Small-Volume Line Reporting Requirements

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 551—Procedural Rules

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 552—Petitions for Rulemaking, Defect, and Noncompliance Orders

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 553—Rulemaking Procedures

- Section 610: There is no

SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 554—Standards Enforcement and Defects Investigation
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 555—Temporary Exemption from Motor Vehicle Safety and Bumper Standards
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 556—Exemption for Inconsequential Defect or Noncompliance
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 557—Petitions for Hearings on Notification and Remedy of Defects
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 563—Event Data Recorders
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 564—Replaceable Light Source and Sealed Beam Headlamp Information
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 565—Vehicle Identification Number (VIN) Requirements
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 566—Manufacturer Identification
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 567—Certification
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 568—Vehicles Manufactured in Two or More Stages—All Incomplete, Intermediate and Final-Stage Manufacturers of Vehicles Manufactured in Two or More Stages
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 569—Regrooved Tires
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 570—Vehicle In Use Inspection Standards
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 572—Anthropomorphic Test Devices
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 573—Defect and Noncompliance Responsibility and Reports
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 574—Tire Identification and Recordkeeping
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 576—Record Retention
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 577—Defect and Noncompliance Notification
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

49 CFR part 578—Civil and Criminal Penalties
- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. These regulations are cost effective and impose the least burden. NHTSA's plain language review of these rules indicates no need for substantial revision.

Year 7 (Fall 2014) List of Rules That Will Be Analyzed During the Next Year

49 CFR part 571.111—Rear Visibility
49 CFR part 571.112—[Reserved]
49 CFR part 571.113—Hood Latch System
49 CFR part 571.114—Theft Protection and Rollaway Prevention
49 CFR part 571.115—[Reserved]
49 CFR part 571.116—Motor Vehicle Brake Fluids
49 CFR part 571.117—Retreaded Pneumatic Tires

49 CFR part 571.118—Power-Operated Window, Partition, and Roof Panel Systems
49 CFR part 571.119—New Pneumatic Tires For Motor Vehicles With a GVWR of More Than 4,536 Kilograms (10,000 Pounds) and Motorcycles
49 CFR part 571.120—Tire Selection and Rims and Motor Home/Recreation Vehicle Trailer Load Carrying Capacity Information For Motor Vehicles With a GVWR of More Than 4,536 Kilograms (10,000 Pounds)
49 CFR part 571.121—Air Brake Systems
49 CFR part 571.122—Motorcycle Brake Systems
49 CFR part 571.122a—Motorcycle Brake Systems
49 CFR part 571.123—Motorcycle Controls and Displays
49 CFR part 571.124—Accelerator Control Systems
49 CFR part 571.125—Warning Devices
49 CFR part 571.126—Electronic Stability Control Systems
49 CFR part 571.127–571.128—[Reserved]
49 CFR part 571.129—New Non-pneumatic Tires For Passenger Cars
49 CFR part 580—Odometer Disclosure Requirements
49 CFR part 581—Bumper Standard
49 CFR part 582—Insurance Cost Information Regulation
49 CFR part 583—Automobile Parts Content Labeling
49 CFR part 585—Phase-In Reporting Requirements
49 CFR part 586—[Reserved]
49 CFR part 587—Deformable Barriers
49 CFR part 588—Child Restraint Systems Recordkeeping Requirements

Federal Railroad Administration

Section 610 and Other Reviews

Year	Regulations to be reviewed	Analysis year	Review year
1	49 CFR parts 200 and 201	2008	2009
2	49 CFR parts 207, 209, 211, 215, 238, and 256	2009	2010
3	49 CFR parts 210, 212, 214, 217, and 268	2010	2011
4	49 CFR part 219	2011	2012
5	49 CFR parts 218, 221, 241, and 244	2012	2013
6	49 CFR parts 216, 228, and 229	2013	2014
7	49 CFR parts 223 and 233	2014	2015
8	49 CFR parts 224, 225, 231, and 234	2015	2016
9	49 CFR parts 222, 227, 235, 236, 250, 260, and 266	2016	2017
10	49 CFR parts 213, 220, 230, 232, 239, 240, and 265	2017	2018

Year 6 (Fall 2013) List of Rules Analyzed and a Summary of Results

49 CFR part 216—Special Notice and Emergency Order Procedures: Railroad Track, Locomotive and Equipment
- Section 610: There is no SEIOSNOSE.
- General: Since the rule deals with the special notices for repairs of railroad freight car, locomotive, passenger equipment, and track class and prescribes for the issuance and review of emergency orders for removing dangerously substandard track from service, it will provide safety and security for railroad employees and the public. FRA's plain language review of this rule indicates no need for substantial revision.

49 CFR part 228—Hours of Service of Railroad Employees
- Section 610: There is no SEIOSNOSE.
- General: Since the rule prescribes reporting and recordkeeping requirements regarding the hours of service of certain railroad employees, railroad contractors and subcontractors; establishes requirements for electronic recordkeeping systems for the creation and maintenance of required hours of service records; establishes standards and procedures concerning the construction or reconstruction of sleeping quarters; establishes minimum safety and health standards for camp cars provided by a railroad as sleeping quarters; and prescribes substantive hours of service requirements for train employees engaged in commuter or intercity rail passenger transportation. It promotes the safety of railroad operations and employees. FRA's plain language review of this rule indicates no need for substantial revision.

49 CFR part 229—Railroad Locomotive Safety Standards
- Section 610: There is a SEIOSNOSE. These are minimum Federal standards for railroad locomotive safety. The FRA will conduct a formal review to identify whether opportunities may exist to reduce the burden on small railroads without compromising safety standards.
- General: Since the rule prescribes minimum Federal safety standards for all locomotives except those propelled by steam power, these regulations are necessary to achieve better and effective compliance of railroad locomotive safety standards and to minimize the number of casualties. FRA's plain language review of this rule indicates that there is no need for substantial revision.

Year 7 (fall 2014) List of rule(s) that will be analyzed during next year

49 CFR part 223—Safety Glazing Standards—Locomotives, Passenger Cars and Cabooses
49 CFR part 233—Signal System Reporting Requirements

Federal Transit Administration

Section 610 and Other Reviews

Year	Regulations to be reviewed	Analysis year	Review year
1	49 CFR parts 604, 605, and 633	2008	2009
2	49 CFR parts 661 and 665	2009	2010
3	49 CFR part 633	2010	2011
4	49 CFR parts 609 and 611	2011	2012
5	49 CFR parts 613 and 614	2012	2013
6	49 CFR part 622	2013	2014

Year	Regulations to be reviewed	Analysis year	Review year
7	49 CFR part 630	2014	2015
8	49 CFR part 639	2015	2016
9	49 CFR parts 659 and 663	2016	2017
10	49 CFR part 665	2017	2018

Year 6 (fall 2013) List of rules analyzed and summary of results

49 CFR part 622—Environmental Impact and Related Procedures

- Section 610: The agency has determined that the rule does not have a significant effect on a substantial number of small entities. FTA and FHWA recently revised the rule and evaluated the likely effects of the final rule on small entities and requested public comment during the rulemaking process. FTA and FHWA determined that the rule does not have a significant economic impact on entities of any size. FTA and FHWA expect the revisions to the rule will expedite environmental review. Thus, FTA and FHWA determined that the rule will not have a significant economic impact on a substantial number of small entities. FTA and FHWA received no comment on this issue in the rulemaking process.
- General: FTA revised part 622 via a final rule in January 2013, in order to implement recent MAP–21 requirements (see 79 FR 2107). Part 622 cross-references 23 CFR part 771. FTA and FHWA joint procedures at 23 CFR part 771 describe how FTA and FHWA comply with NEPA and the Council on Environmental Quality (CEQ) regulations implementing NEPA. Sections 1316 and 1317 of MAP–21 require the Secretary of Transportation to promulgate regulations designating two types of actions as categorical exclusions in 23 CFR part 771: (1) Any project (as defined in 23 U.S.C. 101(a)) within an existing operational right-of-way and (2) any project that receives less than $5,000,000 of Federal funds or with a total estimated cost of not more than $30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost, respectively.

Year 7 (fall 2014) List of rules that will be analyzed during the next year

49 CFR part 630—National Transit Database

Maritime Administration

Section 610 and Other Reviews

Year	Regulations to be reviewed	Analysis year	Review year
1	46 CFR parts 201 through 205	2008	2009
2	46 CFR parts 221 through 232	2009	2010
3	46 CFR parts 249 through 296	2010	2011
4	46 CFR parts 221, 298, 308, and 309	2011	2012
5	46 CFR parts 307 through 309	2012	2013
6	46 CFR part 310	2013	2014
7	46 CFR parts 315 through 340	2014	2015
8	46 CFR parts 345 through 381	2015	2016
9	46 CFR parts 382 through 389	2016	2017
10	46 CFR parts 390 through 393	2017	2018

Year 4 (Fall 2011) List of Rules Analyzed and Summary of Results

46 CFR part 221—Foreign Transfer Regulations

- Section 610: There is no SEIOSNOSE.
- General: An updated rule was promulgated, providing technical changes including corrections to statutory references, updates to citations and addresses, and deleted other obsolete references.

46 CFR part 327—Administrative Claims

- Section 610: There is no SEIOSNOSE.
- General: An updated rule was promulgated, providing clarity to the public regarding the filing of administrative claims and adopting a procedural process for effectively resolving claims under the Suits in Admiralty Act, the Admiralty Extension Act and the Clarification Act.

46 CFR part 249—Approval of Underwriters for Marine Hull Insurance

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. MARAD's plain language review of this rule indicated no need for substantial revision.

46 CFR part 287—Establishment of Construction Reserve Funds

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. MARAD's plain language review of this rule indicated no need for substantial revision.

46 CFR part 295—Maritime Security Program (MSP)

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. MARAD's plain language review of this rule indicated no need for substantial revision.

Year 4 (Fall 2011) List of Rules With Ongoing Analysis

46 CFR part 381—Cargo Preference—U.S.-Flag Vessels

46 CFR part 383—Cargo Preference—Compromise, Assessment, Mitigation, Settlement, and Collection of Civil Penalties

46 CFR part 272—Requirements and Procedures for Conducting Condition Surveys and Administering Maintenance and Repair Subsidy

46 CFR part 296—Maritime Security Program (MSP)

Year 5 (2012) List of Rules Analyzed and Summary of Results

46 CFR part 308—War Risk Insurance

- Section 610: There is no SEIOSNOSE.
- General: An updated rule was promulgated, correcting numerous citations, updating relevant agency contact and underwriting agent information, and removing other

obsolete references.

46 CFR part 309—War Risk Ship Valuation

- Section 610: There is no SEIOSNOSE.
- General: No changes are needed. MARAD's plain language review of this rule indicated no need for substantial revision.

Year 5 (2012) List of Rules With Ongoing Analysis

46 CFR part 307—Mandatory Position Report System for Vessels

Year 6 (2013) List of Rules With Ongoing Analysis

46 CFR part 310—Merchant Marine Training

Year 7 (2014) List of Rules That Will Be Analyzed During the Next Year

46 CFR part 315—Agency Agreements and Appointment of Agents

46 CFR part 317—Bonding of Ship's Personnel

46 CFR part 324—Procedural Rules for Financial Transactions Under Agency Agreements

46 CFR part 325—Procedure to be Followed by General Agents in Preparation of Invoices and Payment of Compensation Pursuant to Provisions of NSA Order No. 47

46 CFR part 326—Marine Protection and Indemnity Insurance Under Agreements with Agents

46 CFR part 327—Seamen's Claims; Administrative Action and Litigation

46 CFR part 328—Slop Chests

46 CFR part 329—Voyage Data

46 CFR part 330—Launch Services

46 CFR part 332—Repatriation of Seaman

46 CFR part 335—Authority and Responsibility of General Agents to Undertake Emergency Repairs in Foreign Ports

46 CFR part 336—Authority and Responsibility of General Agents to Undertake in Continental United States Ports Voyage Repairs and Service Equipment of Vessels Operated for the Account of the National Shipping Authority Under General Agency Agreement

46 CFR part 337—General Agent's responsibility in Connection with Foreign Repair Custom's Entries

46 CFR part 338—Procedure for Accomplishment of Vessel Repairs Under National Shipping Authority Master Lump Sum Repair Contract—NSA—Lumpsumrep

46 CFR part 339—Procedure for Accomplishment of Ship Repairs Under National Shipping Authority Individual Contract for Minor Repairs—NSA—Worksmalrep

46 CFR part 340—Priority Use and Allocation of Shipping Services, Container and Chassis and Port Facilities and Services for National Security and National Defense Related Operations.

Pipeline and Hazardous Materials Safety Administration (PHMSA)

Section 610 and Other Reviews

Year	Regulations to be reviewed	Analysis year	Review year
1	49 CFR part 178	2008	2009
2	49 CFR parts 178 through 180	2009	2010
3	49 CFR parts 172 and 175	2010	2011
4	49 CFR part 171, sections 171.15 and 171.16	2011	2012
5	49 CFR parts 106, 107, 171, 190, and 195	2012	2013
6	49 CFR parts 174, 177, 191, and 192	2013	2014
7	49 CFR parts 176 and 199	2014	2015
8	49 CFR parts 172 through 178	2015	2016
9	49 CFR parts 172, 173, 174, 176, 177, and 193	2016	2017
10	49 CFR parts 173 and 194	2017	2018

Year 6 (Fall 2013) List of Rules Analyzed and a Summary of Results

49 CFR part 174—Carriage by Rail

- Section 610: There is no SEIOSNOSE. On August 27–28, 2013 (78 FR 42998)

PHMSA and FRA held a public meeting to address the transportation of hazardous materials by rail. This meeting was part of PHMSA and FRA's comprehensive review of operational factors that affect the safety of the transportation of hazardous materials by rail and sought input from stakeholders and interested parties. Specifically, this meeting sought comment from the regulated community including small entities on revision to part 174. PHMSA and FRA have evaluated the comments from this meeting. The comments to this public meeting noted that some small entities may be affected, but the economic impact on small entities will not be significant. As a result, the agency determined that the rules do not have a significant economic impact on a substantial number of small entities. A response to the public comments, including those of small entities, and proposals for corresponding revisions to part 174 will be included in a future rulemaking.

- General: The requirements in this rule are necessary to protect rail transportation workers and the general public from the dangers associated with hazardous materials incidents in rail transportation. PHMSA's plain language review of this rule indicates no need for substantial revision; however, any revisions to part 174 as part of a future rulemaking will take into account plain language principles and where appropriate clarify unclear language.

49 CFR part 177—Carriage by Public Highway

- Section 610: There is no SEIOSNOSE. This rule prescribes minimum safety standards for the transportation of hazardous materials for highway transportation. Some small entities may be affected, but the economic impact on small entities will not be significant.
- General: The requirements in this rule are necessary to protect highway transportation workers and the general public from the dangers associated with hazardous materials incidents in highway transportation. PHMSA's plain language review of this rule indicates no need for substantial revision.

49 CFR part 191—Transportation of Natural and Other Gas by Pipeline; Annual Reports, Incident Reports, and Safety-Related Condition Reports

- Section 610: There is no SEIOSNOSE. Based on regulated entities, PHMSA found that the majority of operators are not small businesses. Therefore, though some small entities

may be affected, the economic impact on small entities will not be significant.

- General: No changes are needed. These regulations are cost effective and impose the least burden. PHMSA's plain language review of this rule indicates no need for substantial revision.

49 CFR part 192—Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards

- Section 610: There is no SEIOSNOSE. Based on regulated entities, PHMSA found that the majority of operators are not small businesses. Therefore, though some small entities may be affected, the economic impact on small entities will not be significant.
- General: No changes are needed. These regulations are cost effective and impose the least burden. PHMSA's plain language review of this rule indicates no need for substantial revision.

Year 7 (Fall 2014) List of Rules That Will Be Analyzed During the Next Year

49 CFR part 176—Carriage by Vessel

49 CFR part 199—Drug and Alcohol Testing

Saint Lawrence Seaway Development Corporation

Section 610 and Other Reviews

Year	Regulations to be reviewed	Analysis year	Review year
1	33 CFR parts 401 through 403	2008	2009

Year 1 (Fall 2008) List of Rules With Ongoing Analysis

33 CFR part 401—Seaway Regulations and Rules

33 CFR part 402—Tariff of Tolls

33 CFR part 403—Rules of Procedure of the Joint Tolls Review Board

OFFICE OF THE SECRETARY—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
184	+ Airline Pricing Transparency and Other Consumer Protection Issues	2105–AE11

+ DOT-designated significant regulation.

FEDERAL AVIATION ADMINISTRATION—PRERULE STAGE

Sequence No.	Title	Regulation Identifier No.
185	+ Applying the Flight, Duty, and Rest Rules of 14 CFR part 135 to Tail-End Ferry Operations (FAA Reauthorization).	2120–AK26

+ DOT-designated significant regulation.

FEDERAL AVIATION ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
186	+ Operation and Certification of Small Unmanned Aircraft Systems	2120–AJ60
187	Changing the Collective Risk Limits for Launches and Reentries, and Clarifying the Risk Limit Used to Establish Hazard Areas for Ships and Aircraft.	2120–AK06
188	Flight Simulation Training Device (FSTD) Qualification Standards for Extended Envelope and Adverse Weather Event Training.	2120–AK08
189	+ Applying the Flight, Duty and Rest Requirements to Ferry Flights That Follow Domestic, Flag, or Supplemental All-Cargo Operations; (Reauthorization).	2120–AK22
190	Reciprocal Waivers of Claims for Licensed or Permitted Launch and Reentry Activities (RRR)	2120–AK44
191	+ Reorganization	2120–AK65

+ DOT-designated significant regulation.

FEDERAL AVIATION ADMINISTRATION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
192	Acceptance Criteria for Portable Oxygen Concentrators Used Onboard Aircraft (RRR)	2120–AK32
193	+ Prohibition Against Certain Flights Within the Baghdad (ORBB) Flight Information Region (FIR) Amendment.	2120–AK60

+ DOT-designated significant regulation.

FEDERAL AVIATION ADMINISTRATION—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
194	+ Drug and Alcohol Testing of Certain Maintenance Provider Employees Located Outside of the United States.	2120–AK09

+ DOT-designated significant regulation.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
195	+ Carrier Safety Fitness Determination	2126–AB11

+ DOT-designated significant regulation.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
196	+ Commercial Driver's License Drug and Alcohol Clearinghouse (MAP–21)	2126–AB18
197	+ Electronic Logging Devices and Hours of Service Supporting Documents (MAP–21) (RRR)	2126–AB20
198	+ Lease and Interchange of Vehicles; Motor Carriers of Passengers	2126–AB44

+ DOT-designated significant regulation.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
199	+ Entry-Level Driver Training **(Section 610 Review)**	2126–AB66

+ DOT-designated significant regulation.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
200	+ Inspection, Repair, and Maintenance; Driver-Vehicle Inspection Report (RRR)	2126–AB46

+ DOT-designated significant regulation.

FEDERAL RAILROAD ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
201	+ Passenger Equipment Safety Standards	2130–AC46
202	+ Train Crew Staffing and Location	2130–AC48

+ DOT-designated significant regulation.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
203	+ Pipeline Safety: Safety of Onshore Liquid Hazardous Pipelines	2137–AE66
204	Pipeline Safety: Issues Related to the Use of Plastic Pipe in Gas Pipeline Industry	2137–AE93
205	+ Pipeline Safety: Operator Qualification, Cost Recovery, Accident and Incident Notification, and Other Changes (RRR).	2137–AE94
206	+ Pipeline Safety: Amendments to Parts 192 and 195 to Require Valve Installation and Minimum Rupture Detection Standards.	2137–AF06

+ DOT-designated significant regulation.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
207	+ Hazardous Materials: Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains.	2137–AE91

+ DOT-designated significant regulation.

MARITIME ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
208	+ Cargo Preference	2133–AB74

+ DOT-designated significant regulation.

DEPARTMENT OF TRANSPORTATION (DOT)

Office of the Secretary (OST)

Final Rule Stage

184. + Airline Pricing Transparency and Other Consumer Protection Issues

Legal Authority: 49 U.S.C. 41712; 49 U.S.C. 40101; 49 U.S.C. 41702

Abstract: The Department is seeking comment on a number of proposals to enhance protections for air travelers and to improve the air travel environment, including a proposal to clarify and codify the Department's interpretation of the statutory definition of ticket agent.'' This NPRM also would require airlines and ticket agents to disclose at all points of sale the fees for certain basic ancillary services associated with the air transportation consumers are buying or considering buying. Other proposals in this NPRM to enhance airline passenger protections include: expanding the pool of reporting'' carriers; requiring enhanced reporting by mainline carriers for their domestic code-share partner operations; requiring large travel agents to adopt minimum customer service standards; codifying the statutory requirement that carriers and ticket agents disclose any code-share arrangements on their Web sites; and prohibiting unfair and deceptive practices such as undisclosed biasing and post-purchase price increases. The Department also is considering whether to require ticket agents to disclose the carriers whose tickets they sell in order to avoid having consumers mistakenly believe they are searching all possible flight options for a particular city-pair market when there may be other options available. Additionally, this NPRM would correct drafting errors and make minor changes to the Department's second Enhancing Airline Passenger Protections rule to conform to guidance issued by the Department's Office of Aviation Enforcement and Proceedings (Enforcement Office) regarding its interpretation of the rule.

Timetable:

Action	Date	FR Cite
NPRM	05/23/14	79 FR 29970
NPRM Comment Period End.	08/21/14	
Final Rule	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Blane A Workie, Principal Deputy Assistant General Counsel, Department of Transportation, Office of the Secretary, 1200 New Jersey Ave. SE., Washington, DC 20590, *Phone:* 202 366–9342, *TDD Phone:* 202 755–7687, *Fax:* 202 366–7152, *Email: blane.workie@dot.gov*.

RIN: 2105–AE11

BILLING CODE 4910–9X–P

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Aviation Administration (FAA)

Prerule Stage

185. + Applying the Flight, Duty, and Rest Rules of 14 CFR Part 135 to Tail-End Ferry Operations (FAA Reauthorization)

Legal Authority: 49 U.S.C. 106(g); 49 U.S.C. 1153; 49 U.S.C. 40101; 49 U.S.C. 40102; 49 U.S.C. 40103; 49 U.S.C. 40113; 49 U.S.C. 41706; 49 U.S.C. 44105; 49 U.S.C. 44106; 49 U.S.C. 44111; 49 U.S.C. 44701 to 44717; 49 U.S.C. 44722; 49 U.S.C. 44901; 49 U.S.C. 44903; 49 U.S.C. 44904; 49 U.S.C. 44906; 49 U.S.C. 44912; 49 U.S.C. 44914; 49 U.S.C. 44936; 49 U.S.C. 44938; 49 U.S.C. 45101 to 45105; 49 U.S.C. 46103

Abstract: This rulemaking would require a flightcrew member who is employed by an air carrier conducting operations under part 135, and who accepts an additional assignment for flying under part 91 from the air carrier or from any other air carrier conducting operations under part 121 or 135, to apply the period of the additional assignment toward any limitation applicable to the flightcrew member relating to duty periods or flight times under part 135.

Timetable:

Action	Date	FR Cite
ANPRM	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dale Roberts, Department of Transportation, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591, *Phone:* 202 267–5749, *Email: dale.roberts@faa.gov*.

RIN: 2120–AK26

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Aviation Administration (FAA)

Proposed Rule Stage

186. + Operation and Certification of Small Unmanned Aircraft Systems

Legal Authority: 49 U.S.C. 44701; Pub. L. 112–95

Abstract: This rulemaking would adopt specific rules to allow the operation of small unmanned aircraft systems in the National Airspace System. These changes would address the operation of unmanned aircraft systems, certification of their operators, registration, and display of registration markings. The rulemaking also would find that airworthiness certification is not required for small unmanned aircraft system operations that would be subject to this proposed rule. Lastly, the rulemaking would prohibit model

aircraft from endangering the safety of the National Airspace System.

Timetable:

Action	Date	FR Cite
NPRM	02/23/15	80 FR 9544
NPRM Comment Period End.	04/24/15	
Analyzing Comments.	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Lance Nuckolls, Unmanned Aircraft Systems Integration Office, Department of Transportation, Federal Aviation Administration, 490 L'Enfant Plaza SW., Washington, DC 20024, *Phone:* 202 267–8447, *Email: uas-rule@faa.gov*.

RIN: 2120–AJ60

187. Changing the Collective Risk Limits for Launches and Reentries, and Clarifying the Risk Limit Used To Establish Hazard Areas for Ships and Aircraft

Legal Authority: 51 U.S.C. 50901 to 50923

Abstract: This rulemaking would revise the collective risk limits for commercial launches and reentries. With this rulemaking, the FAA would separate its expected-number-of-casualties limits for launches and reentries. For commercial launches, the FAA would aggregate the expected-number-of-casualties posed by the following hazards: (1) Impacting inert and explosive debris, (2) toxic release, and (3) far field blast overpressure to one times ten to the minus four. This rulemaking would also clarify the regulatory requirements concerning hazard areas for ships and aircraft.

Timetable:

Action	Date	FR Cite
NPRM	07/21/14	79 FR 42241
NPRM Comment Period End.	10/20/14	
Analyzing Comments.	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Rene Rey, Licensing and Safety Division, Office of Commercial Space, Department of Transportation, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20590, *Phone:* 202 267–7538, *Email: rene.rey@faa.gov*.

RIN: 2120–AK06

188. Flight Simulation Training Device (FSTD) Qualification Standards for Extended Envelope and Adverse Weather Event Training

Legal Authority: 49 U.S.C. 106(g); 49 U.S.C. 40113; 49 U.S.C. 44701; Pub. L. 111–216

Abstract: This rulemaking would amend evaluation qualifications for simulators to ensure the simulators are technically capable of performing new flight training tasks as identified in the Airline Safety and Federal Aviation Administration Extension Act of 2010 (Pub. L. 111–216) and that are included in a separate rulemaking (2120–AJ00). By ensuring the simulators provide an accurate and realistic simulation, this rulemaking would allow for training on the following tasks: (1) Full/aerodynamic stall, and (2) upset recognition and recovery, as identified in Pub. L. 111–216. Furthermore, this rulemaking would improve the minimum FSTD evaluation requirements for gusting crosswinds (takeoff/landing), engine and airframe icing, and bounced landing recovery methods in response to NTSB and Aviation Rulemaking Committee recommendations. The intended effect is to ensure an adequate level of simulator fidelity.

Timetable:

Action	Date	FR Cite
NPRM	07/10/14	79 FR 39461
NPRM Comment Period Extended.	09/16/14	79 FR 55407
NPRM Comment Period End.	10/08/14	
Comment Period Extended.	01/06/15	
Analyzing Comments.	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Larry McDonald, Department of Transportation, Federal Aviation Administration, P.O. Box 20636, Atlanta, GA 30320, *Phone:* 404–474–5620, *Email: larry.e.mcdonald@faa.gov*.

RIN: 2120–AK08

189. + Applying the Flight, Duty and Rest Requirements to Ferry Flights That Follow Domestic, Flag, or Supplemental All-Cargo Operations; (Reauthorization)

Legal Authority: 49 U.S.C. 106(g); 49 U.S.C. 40113; 49 U.S.C. 40119; 49 U.S.C. 41706; 49 U.S.C. 44101; 49 U.S.C. 44701; 49 U.S.C. 44702; 49 U.S.C. 44705; 49 U.S.C. 44709 to 44711; 49 U.S.C. 44713; 49 U.S.C. 44716; 49 U.S.C. 44717

Abstract: This rulemaking would require a flightcrew member who accepts an additional assignment for flying under part 91 from the air carrier or from any other air carrier conducting operations under part 121 or 135 of such title, to apply the period of the additional assignment toward any limitation applicable to the flightcrew member relating to duty periods or flight times. This rule is necessary to make part 121 flight, duty, and rest limits applicable to tail-end ferries that follow an all-cargo flight.

Timetable:

Action	Date	FR Cite
NPRM	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dale Roberts, Department of Transportation, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591, *Phone:* 202 267–5749, *Email: dale.roberts@faa.gov*.

RIN: 2120–AK22

190. Reciprocal Waivers of Claims for Licensed or Permitted Launch and Reentry Activities (RRR)

Legal Authority: 49 U.S.C. 322; 51 U.S.C. 50910 to 50923

Abstract: This rulemaking would extend the waiver of claims for all customers involved in a launch or reentry, amend the requirement describing which entities are required to sign the statutorily-mandated waiver of claims, and add a new waiver template for the customer´s use. This rulemaking would ease the administrative burden on customers, licensees, permittees, and the FAA, especially when a new customer is added only a short time before the scheduled launch or reentry.

Timetable:

Action	Date	FR Cite
NPRM	01/13/15	80 FR 2015
NPRM Comment Period End.	03/16/15	
Analyzing Comments.	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Shirley McBride, Department of Transportation, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591, *Phone:* 202 267–7470, *Email: shirley.mcbride@faa.gov.*

RIN: 2120–AK44

191. • +Reorganization

Legal Authority: 49 U.S.C. 106(g); 49 U.S.C. 40113; 49 U.S.C. 44701; 49 U.S.C. 44702; 49 U.S.C. 44704

Abstract: This rulemaking would revise title 14, Code of Federal Regulations (14 CFR) part 23 as a set of performance-based regulations for the design and certification of small transport category aircraft. This rulemaking would: (1) Reorganize part 23 into performance-based requirements by removing the detailed design requirements from part 23. The detailed design provisions that would assist applicants in complying with the new performance-based requirements would be identified in means of compliance (MOC) documents to support this effort; (2) promote the adoption of the newly created performance-based airworthiness design standard as an internationally accepted standard by the majority of other civil aviation authorities; (3) realign the part 23 requirements to promote the development of entry-level airplanes similar to those certified under Certification Specification for Very Light Aircraft (CS–VLA); (4) enhance the FAA's ability to address new technology; (5) increase the general aviation (GA) level of safety provided by new and modified airplanes; (6) amend the stall, stall warning, and spin requirements to reduce fatal accidents and increase crashworthiness by allowing new methods for occupant protection; and (7) address icing conditions that are currently not included in part 23 regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Lowell Foster, Department of Transportation, Federal Aviation Administration, 901 Locust St., Kansas City, MO 64106, *Phone:* 816–329–4125, *Email: lowell.foster@faa.gov.*

RIN: 2120–AK65

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Aviation Administration (FAA)

Final Rule Stage

192. Acceptance Criteria for Portable Oxygen Concentrators Used Onboard Aircraft (RRR)

Legal Authority: 49 U.S.C. 106(f); 49 U.S.C. 106(g); 49 U.S.C. 1155; 49 U.S.C. 40103; 49 U.S.C. 40105; 49 U.S.C. 40109; 49 U.S.C. 40113; 49 U.S.C. 40119; 49 U.S.C. 40120; 49 U.S.C. 41706; 49 U.S.C. 44101; 49 U.S.C. 44110; 49 U.S.C. 44111; 49 U.S.C. 44502; 49 U.S.C. 44701; 49 U.S.C. 44702; 49 U.S.C. 44704; 49 U.S.C. 44705; 49 U.S.C. 44709 to 44713; 49 U.S.C. 44715 to 44717; 49 U.S.C. 44722; 49 U.S.C. 45101 to 45105; 49 U.S.C. 46102; 49 U.S.C. 46105; 49 U.S.C. 46306; 49 U.S.C. 46315; 49 U.S.C. 46316; 49 U.S.C. 46504; 49 U.S.C. 46506; 49 U.S.C. 46507; 49 U.S.C. 47122; 49 U.S.C. 47508; 49 U.S.C. 47528 to 47531; 61 Stat. 1180—Articles 12 and 29

Abstract: This rulemaking would establish FAA acceptance criteria for portable oxygen concentrators (POC) used by passengers in air carrier operations, commercial operations, and certain other operations using large aircraft. To identify POCs that satisfy the FAA acceptance criteria, POC manufacturers will affix a label on the exterior of the device. With the establishment of POC acceptance criteria, the FAA will discontinue the use of Special Federal Aviation Regulation (SFAR) No. 106 (''the SFAR''), removing it from title 14 of the Code of Federal Regulations (14 CFR) parts 121, 125, and 135. POCs currently identified in the SFAR will continue to be identified in the regulatory text of the final rule as approved for use on aircraft and will not require a label prior to use.

Timetable:

Action	Date	FR Cite
NPRM	09/19/14	79 FR 56288
NPRM Comment Period End.	11/18/14	
Final Rule	01/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Denise K Deaderick, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591, *Phone:* 202 267–8166, *Email: dk.deaderick@faa.gov.*

RIN: 2120–AK32

193. • +Prohibition Against Certain Flights Within the Baghdad (ORBB) Flight Information Region (FIR) Amendment

Legal Authority: 126 Stat. 11; 49 U.S.C. 106(f); 49 U.S.C. 106(g); 49 U.S.C. 1155; 49 U.S.C. 40101; 49 U.S.C. 40103; 49 U.S.C. 40105; 49 U.S.C. 40113; 49 U.S.C. 40120; 49 U.S.C. 44101; 49 U.S.C. 44111; 49 U.S.C. 44701; 49 U.S.C. 44704; 49 U.S.C. 44709; 49 U.S.C. 44711; 49 U.S.C. 44712; 49 U.S.C. 44715; 49 U.S.C. 44716; 49 U.S.C. 44717; 49 U.S.C. 44722; 49 U.S.C. 46306; 49 U.S.C. 46315; 49 U.S.C. 46316; 49 U.S.C. 46504; 49 U.S.C. 46506; 49 U.S.C. 46507; 49 U.S.C. 47122; 49 U.S.C. 47508; 49 U.S.C. 47528 to 47531; 49 U.S.C. 47534; 61 Stat. 1180

Abstract: This action amends Special Federal Aviation Regulation (SFAR) No. 77, section 91.1605, Prohibition Against Certain Flights Within the Territory and Airspace of Iraq, which prohibits certain flight operations in the territory and airspace of Iraq by all United States (U.S.) air carriers, U.S. commercial operators, persons exercising the privileges of a U.S. airman certificate, except when such persons are operating a U.S.-registered civil aircraft for a foreign air carrier, and operators of U.S. registered civil aircraft, except when such operators are foreign air carriers. On August 8, 2014, the FAA issued a Notice-to-Airmen (NOTAM) prohibiting flight operations in the ORBB FIR at all altitudes, subject to certain limited exceptions, due to the armed conflict in Iraq. This amendment to SFAR No. 77, section 91.1605, incorporates the flight prohibition set forth in the August 8, 2014, NOTAM into the rule. The FAA is also making technical corrections to a previously published amendment to SFAR No. 77, section 91.1605, revising the approval process for this SFAR for other U.S. Government departments, agencies, and instrumentalities, to make it more similar to the approval process for other recently published flight prohibition SFARs, and adding an expiration date.

Timetable:

Action	Date	FR Cite
Final Rule	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Robert Frenzel, Department of Transportation, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591, *Phone:* 202 267–7638.

RIN: 2120–AK60

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Aviation Administration (FAA)

Long-Term Actions

194. +Drug and Alcohol Testing of Certain Maintenance Provider Employees Located Outside of the United States

Legal Authority: 14 CFR; 49 U.S.C. 106(g); 49 U.S.C. 40113; 49 U.S.C. 44701; 49 U.S.C. 44702; 49 U.S.C. 44707; 49 U.S.C. 44709; 49 U.S.C. 44717

Abstract: This rulemaking is required by the FAA Modernization and Reform 2012. It would require controlled substance testing of some employees working in repair stations located outside the United States. The intended effect is to increase participation by companies outside of the United States in testing of employees who perform safety critical functions and testing standards similar to those used in the repair stations located in the United States. This action is necessary to increase the level of safety of the flying public. This rulemaking is required by the FAA Modernization and Reform Act of 2012.

Timetable:

Action	Date	FR Cite
ANPRM	03/17/14	79 FR 14621
Comment Period Extended.	05/01/14	79 FR 24631
ANPRM Comment Period End.	05/16/14	
Comment Period End.	07/17/14	
Next Action Undetermined.	To Be Determined	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Vicky Dunne, Department of Transportation, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591, *Phone:* 202 267–8522, *Email: vicky.dunne@faa.gov*.

RIN: 2120–AK09

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Motor Carrier Safety Administration (FMCSA)

Proposed Rule Stage

195. +Carrier Safety Fitness Determination

Legal Authority: Section 4009 of TEA–21

Abstract: FMCSA proposes to amend the Federal Motor Carrier Safety Regulations (FMCSRs) to adopt revised methodologies that would result in a safety fitness determination (SFD). The proposed methodologies would determine when a motor carrier is not fit to operate commercial motor vehicles (CMVs) in or affecting interstate commerce based on (1) the carrier's performance in relation to five of the Agency's Behavioral Analysis and Safety Improvement Categories (BASICs); (2) an investigation; or (3) a combination of on-road safety data and investigation information. The intended effect of this action is to reduce crashes caused by CMV drivers and motor carriers that result in death, injuries, and property damage on U.S. highways by more effectively using FMCSA data and resources to identify unfit motor carriers and remove them from the Nation's roadways.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Bryan Price, Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, 1000 Liberty Ave., Suite 300, Pittsburgh, PA 15222, *Phone:* 412 395–4816, *Email: bryan.price@dot.gov*.

RIN: 2126–AB11

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Motor Carrier Safety Administration (FMCSA)

Final Rule Stage

196. +Commercial Driver's License Drug and Alcohol Clearinghouse (MAP–21)

Legal Authority: 49 U.S.C. 31306

Abstract: This rulemaking would create a central database for verified, positive controlled substances and alcohol test results for commercial driver's license (CDL) holders and refusals by such drivers to submit to testing. This rulemaking would require employers of CDL holders and service agents to report positive test results and refusals to test into the Clearinghouse. Prospective employers, acting on an application for a CDL driver position with the applicant's written consent to access the Clearinghouse, would query the Clearinghouse to determine if any specific information about the driver applicant is in the Clearinghouse before allowing the applicant to be hired and to drive CMVs. This rulemaking is intended to increase highway safety by ensuring CDL holders, who have tested positive or have refused to submit to testing, have completed the U.S. DOT's return-to-duty process before driving CMVs in interstate or intrastate commerce. It is also intended to ensure that employers are meeting their drug and alcohol testing responsibilities. Additionally, provisions in this rulemaking would also be responsive to requirements of the Moving Ahead for Progress in the 21st Century (MAP–21) Act to create the Clearinghouse by 10/01/14.

Timetable:

Action	Date	FR Cite
NPRM	02/20/14	79 FR 9703
NPRM Comment Period End.	04/21/14	
NPRM Comment Period End.	04/22/14	
NPRM Comment Period Extended.	04/22/14	79 FR 22467
Final Rule	01/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Juan Moya, Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave. SE., Washington, DC 20590, *Phone:* 202 366–4844, *Email: juan.moya@dot.gov*.

RIN: 2126–AB18

197. +Electronic Logging Devices and Hours of Service Supporting Documents (MAP–21) (RRR)

Legal Authority: 49 U.S.C. 31502; 31136(a); Pub. L. 103.311; 49 U.S.C. 31137(a)

Abstract: This rulemaking would establish the following: (1) Minimum performance and design standards for hours-of-service (HOS) electronic logging devices (ELDs); (2) requirements for the mandatory use of these devices by drivers currently required to prepare HOS records of duty status (RODS); (3) requirements concerning HOS supporting documents; and (4) measures to address concerns about harassment resulting from the mandatory use of ELDs.

Timetable:

Action	Date	FR Cite
NPRM	02/01/11	76 FR 5537
NPRM Comment Period End.	02/28/11	
NPRM Comment Period Extended.	03/10/11	76 FR 13121

Action	Date	FR Cite
NPRM Comment Period Extended End.	05/23/11	
SNPRM	03/28/14	79 FR 17656
SNPRM Comment Period End.	05/27/14	
Final Rule	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brian Routhier, Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave. SE., Washington, DC 20590, *Phone:* 202 366–1225, *Email: brian.routhier@dot.gov*.

RIN: 2126–AB20

198. +Lease and Interchange of Vehicles; Motor Carriers of Passengers

Legal Authority: 49 U.S.C. 31502; 49 U.S.C. 13301; 49 U.S.C. 31136

Abstract: FMCSA adopts regulations governing the lease and interchange of passenger-carrying commercial motor vehicles (CMVs) to: (1) Identify the motor carrier operating a passenger-carrying CMV and responsible for compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) and all other applicable Federal regulations; (2) ensure that a lessor surrenders control of the CMV for the full term of the lease, or temporary exchange of CMVs and drivers; and (3) require motor carriers subject to a prohibition on operating in interstate commerce to notify FMCSA in writing before leasing or otherwise transferring control of their vehicles to other carriers. This action would ensure that unsafe passenger carriers do not evade FMCSA oversight and enforcement by operating under the authority of another carrier that exercises no actual control over those operations. This action will enable the FMCSA, the National Transportation Safety Board (NTSB), and our Federal and State partners to identify motor carriers transporting passengers in interstate commerce and correctly assign responsibility to these entities for regulatory violations during inspections, compliance investigations, and crash studies. It also provides the general public with the means to identify the responsible motor carrier at the time of transportation. While detailed lease and interchange regulations for cargo-carrying vehicles have been in effect since 1950, this final rule for passenger-carrying CMVs is focused entirely on operational safety.

Timetable:

Action	Date	FR Cite
NPRM	09/20/13	78 FR 57822
NPRM Comment Period End.	11/19/13	
Final Rule	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Wesley Barber, Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave. SE., Washington, DC 20590, *Phone:* 202 385–2428, *Email: wesley.barber@dot.gov*.

RIN: 2126–AB44

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Motor Carrier Safety Administration (FMCSA)

Long-Term Actions

199. +Entry-Level Driver Training (Section 610 Review)

Legal Authority: 49 U.S.C. 31136

Abstract: The Agency is in the pre-rulemaking stage for this project. It will move forward with a product that focuses on the MAP–21 mandate and make the best use of the wealth of information provided by stakeholders since the publication of the 2007 NPRM.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No.

Agency Contact: Sean Gallagher, MC–PRR, Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave. SE., Washington, DC 20590, *Phone:* 202 366–3740, *Email: sean.gallagher@dot.gov*.

RIN: 2126–AB66

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Motor Carrier Safety Administration (FMCSA)

Completed Actions

200. +Inspection, Repair, and Maintenance; Driver-Vehicle Inspection Report (RRR)

Legal Authority: 49 U.S.C. 31502(b)

Abstract: This rulemaking would rescind the requirement that commercial motor vehicle (CMV) drivers operating in interstate commerce submit, and motor carriers retain, driver-vehicle inspection reports when the driver has neither found nor been made aware of any vehicle defects or deficiencies. Specifically, this rulemaking would remove a significant information collection burden without adversely impacting safety. This rulemaking responds in part to the President's January 2012 Regulatory Review and Reform initiative.

Timetable:

Action	Date	FR Cite
NPRM	08/07/13	78 FR 48125
NPRM Comment Period End.	10/07/13	
Final Rule	12/18/14	79 FR 75437
Final Rule Effective.	12/18/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Sean Gallagher, MC–PRR, Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave. SE., Washington, DC 20590, *Phone:* 202 366–3740, *Email: sean.gallagher@dot.gov*.

RIN: 2126–AB46

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Railroad Administration (FRA)

Proposed Rule Stage

201. +Passenger Equipment Safety Standards

Legal Authority: 49 U.S.C. 20103

Abstract: This rulemaking would amend 49 CFR part 238 to update existing safety standards for passenger rail equipment. Specifically, the proposed rulemaking would add standards for alternative compliance with requirements for Tier I passenger equipment, increase the maximum authorized speed for Tier II passenger equipment, and add requirements for a new Tier III category of passenger equipment.

Timetable:

Action	Date	FR Cite
NPRM	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kathryn Shelton, Trial Attorney, Department of Transportation, Federal Railroad Administration, 1200 New Jersey Ave. SE., Washington, DC 20590, *Phone:* 202 493–6063, *Email: kathryn.shelton@fra.dot.gov*.

RIN: 2130–AC46

202. +Train Crew Staffing and Location

Legal Authority: 28 U.S.C. 2461, note; 49 CFR 1.89; 49 U.S.C. 20103; 49 U.S.C. 20107; 49 U.S.C. 21301 to 21302; 49 U.S.C. 21304

Abstract: This rulemaking would add minimum requirements for the size of different train crew staffs, depending on the type of operation. The minimum crew staffing requirements would reflect the safety risks posed to railroad employees, the general public, and the environment. This rulemaking also would establish minimum requirements for the roles and responsibilities of the second train crew member on a moving train, and promote safe and effective teamwork. Additionally, this rulemaking would permit a railroad to submit information to FRA and seek approval if it wants to continue an existing operation with a one-person train crew or start up an operation with less than two crew members.

Timetable:

Action	Date	FR Cite
NPRM	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kathryn Shelton, Trial Attorney, Department of Transportation, Federal Railroad Administration, 1200 New Jersey Ave. SE., Washington, DC 20590, *Phone:* 202 493–6063, *Email: kathryn.shelton@fra.dot.gov.*

RIN: 2130–AC48

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION (DOT)

Pipeline and Hazardous Materials Safety Administration (PHMSA)

Proposed Rule Stage

203. +Pipeline Safety: Safety of Onshore Liquid Hazardous Pipelines

Legal Authority: 49 U.S.C. 60101 *et seq.*

Abstract: This rulemaking would address effective procedures that hazardous liquid operators can use to improve the protection of High Consequence Areas (HCA) and other vulnerable areas along their hazardous liquid onshore pipelines. PHMSA is considering the following: whether changes are needed to the regulations covering hazardous liquid onshore pipelines; whether other areas should be included as HCAs for integrity management (IM) protections; what the repair timeframes should be for areas outside the HCAs that are assessed as part of the IM program; whether leak detection standards are necessary; whether valve spacing requirements are needed on new construction or existing pipelines; and if PHMSA should extend regulation to certain pipelines currently exempt from regulation. The agency also would address the public safety and environmental aspects of any new requirements, as well as the cost implications and regulatory burden.

Timetable:

Action	Date	FR Cite
ANPRM	10/18/10	75 FR 63774
ANPRM Comment Period End.	01/18/11	
ANPRM Comment Period Extended.	01/04/11	76 FR 303
ANPRM Extended Comment Period End.	02/18/11	
NPRM	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John A Gale, Transportation Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Ave. SE., Washington, DC 20590, *Phone:* 202 366–0434, *Email: john.gale@dot.gov.*

RIN: 2137–AE66

204. Pipeline Safety: Issues Related to the Use of Plastic Pipe in Gas Pipeline Industry

Legal Authority: 49 U.S.C. 60101 *et seq.*

Abstract: This rulemaking would address a number of topics related to the use of plastic pipe in the gas pipeline industry. These topics include certain newer types of plastic pipe such as PE (polyethylene), PA11 (polyamide 11), PA12 (polyamide 12), 50-year markings, design factors, risers, incorporation by reference of certain plastic pipe related standards, and tracking and traceability.

Timetable:

Action	Date	FR Cite
NPRM	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cameron H. Satterthwaite, Transportation Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Ave. SE., Washington, DC 20590, *Phone:* 202 366–8553, *Email: cameron.satterthwaite@dot.gov.*

RIN: 2137–AE93

205. +Pipeline Safety: Operator Qualification, Cost Recovery, Accident and Incident Notification, and Other Changes (RRR)

Legal Authority: 49 U.S.C. 60101 *et seq.*

Abstract: This rulemaking would address miscellaneous issues that have been raised because of the reauthorization of the pipeline safety program in 2012, and petitions for rulemaking from many affected stakeholders. Some of the issues that this rulemaking would address include renewal process for special permits, cost recovery for design reviews, and incident reporting.

Timetable:

Action	Date	FR Cite
NPRM	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John A Gale, Transportation Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Ave. SE., Washington, DC 20590, *Phone:* 202 366–0434, *Email: john.gale@dot.gov.*

RIN: 2137–AE94

206. +Pipeline Safety: Amendments to Parts 192 and 195 To Require Valve Installation and Minimum Rupture Detection Standards

Legal Authority: 49 U.S.C. 60101 *et seq.*

Abstract: This rule would propose installation of automatic shut-off valves, remote controlled valves, or equivalent technology and establish performance-based meaningful metrics for rupture detection for gas and liquid transmission pipelines. Rupture detection metrics will be integrated with ASV and RCV placement to improve overall incident response. Rupture response metrics would focus on mitigating large, unsafe, uncontrolled release events that have a greater potential consequence. The areas proposed to be covered include High Consequence Areas (HCA) for hazardous liquids and HCA, Class 3 and 4, for natural gas (including ''could affect'' areas).

Timetable:

Action	Date	FR Cite
NPRM	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Lawrence White, Attorney–Advisor, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street SW., Washington, DC 20590, *Phone:* 202 366–4400, *Fax:* 292 366–7041.

RIN: 2137–AF06

DEPARTMENT OF TRANSPORTATION (DOT)

Pipeline and Hazardous Materials Safety Administration (PHMSA)

Final Rule Stage

207. +Hazardous Materials: Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains

Legal Authority: 49 U.S.C. 5101 *et seq.et seq.*

Abstract: This rulemaking would amend operational requirements for certain trains transporting a large volume of flammable materials, provide improvements in tank car standards, and revise the general requirements for offerors to ensure proper classification and characterization of mined gases and liquids. These new requirements are designed to lessen the consequences of derailments involving ethanol, crude oil, and certain trains transporting a large volume of flammable materials. The growing reliance on trains to transport large volumes of flammable materials poses a significant risk to life, property, and the environment. The proposed changes also address National Transportation Safety Board (NTSB) recommendations on accurate classification, enhanced tank cars, rail routing, oversight, and adequate response capabilities.

Timetable:

Action	Date	FR Cite
ANPRM	09/06/13	78 FR 54849
ANPRM Comment Period End.	11/05/13	
Comment Period Extended.	11/05/13	78 FR 66326
Comment Period End.	12/05/13	
NPRM	08/01/14	79 FR 45015
NPRM Comment Period End.	09/30/14	
Final Rule	05/08/15	80 FR 26643
Final Rule Effective.	07/07/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Ben Supko, Transportation Regulations Specialist, Department of Transportation, Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Av. SE., Washington, DC 20590, *Phone:* 202 366–8553, *Email: ben.supko@dot.gov*.

RIN: 2137–AE91

BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION (DOT)

Maritime Administration (MARAD)

Proposed Rule Stage

208. +Cargo Preference

Legal Authority: 49 CFR 1.66; 46 app U.S.C. 1101; 46 app U.S.C. 1241; 46 U.S.C. 2302 (e)(1); Pub. L. 91–469

Abstract: This rulemaking would revise and clarify the cargo preference regulations that have not been revised substantially since 1971. The rulemaking would also implement statutory changes, including section 3511, Public Law 110–417, of The National Defense Authorization Act for FY 2009, which provides enforcement authority.

Timetable:

Action	Date	FR Cite
NPRM	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Christine Gurland, Department of Transportation, Maritime Administration, 1200 New Jersey Ave. SE., Washington, DC 20590, *Phone:* 202 366–5157, *Email: christine.gurland@dot.gov*.

RIN: 2133–AB74

[FR Doc. 2015–14366 Filed 6–17–15; 8:45 am]

BILLING CODE 4910–81–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XIII

Architectural and Transportation Barriers Compliance Board

Unified Agenda

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

36 CFR Ch. XI

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Architectural and Transportation Barriers Compliance Board submits the following agenda of proposed regulatory activities, which may be conducted by the agency during the next 12 months. This regulatory agenda may be revised by the agency during the coming months as a result of action taken by the Board.

ADDRESSES: Architectural and Transportation Barriers Compliance Board, 1331 F Street NW., Suite 1000, Washington, DC 20004–1111.

FOR FURTHER INFORMATION CONTACT: For information concerning Board regulations and proposed actions, contact Gretchen Jacobs, General Counsel, (202) 272–0040 (voice) or (202) 272–0062 (TTY).

Gretchen Jacobs,

General Counsel.

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
209	Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way	3014–AA26

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
210	Americans with Disabilities Act (ADA) Accessibility Guidelines for Passenger Vessels	3014–AA11

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (ATBCB)

Final Rule Stage

209. Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way

Legal Authority: 42 U.S.C. 12204, Americans With Disabilities Act; 29 U.S.C. 792, Rehabilitation Act

Abstract: This rulemaking would establish accessibility guidelines to ensure that sidewalks and pedestrian facilities in the public right-of-way are accessible to and usable by individuals with disabilities. A Supplemental Notice of Proposed Rulemaking consolidated this rulemaking with RIN 3014–AA41; accessibility guidelines for shared use paths (which are multi-use paths designed primarily for use by bicyclists and pedestrians—including persons with disabilities—for transportation and recreation purposes). The U.S. Department of Justice, U.S. Department of Transportation, and other Federal agencies are expected to adopt the accessibility guidelines for pedestrian facilities in the public right-of-way and for shared use paths, as enforceable standards in separate rulemakings for the construction and alteration of facilities covered by the Americans With Disabilities Act, section 504 of the Rehabilitation Act, and the Architectural Barriers Act.

Timetable:

Action	Date	FR Cite
Notice of Intent to Form Advisory Committee.	08/12/99	64 FR 43980
Notice of Appointment of Advisory Committee Members.	10/20/99	64 FR 56482
Availability of Draft Guidelines.	06/17/02	67 FR 41206
Availability of Draft Guidelines.	11/23/05	70 FR 70734
NPRM	07/26/11	76 FR 44664
NPRM Comment Period End.	11/23/11	
Notice Reopening Comment Period.	12/05/11	76 FR 75844
NPRM Comment Period End.	02/02/12	
Second NPRM	02/13/13	78 FR 10110
Second NPRM Comment Period End.	05/14/13	
Final Action	04/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Gretchen Jacobs, General Counsel, Architectural and Transportation Barriers Compliance Board, 1331 F Street NW., Suite 1000, Washington, DC 20004–1111, *Phone:* 202 272–0040, *TDD Phone:* 202 272–0062, *Fax:* 202 272–0081, *Email: jacobs@access-board.gov.*

RIN: 3014–AA26

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (ATBCB)

Long-Term Actions

210. Americans With Disabilities Act (ADA) Accessibility Guidelines for Passenger Vessels

Legal Authority: 42 U.S.C. 12204, Americans with Disabilities Act of 1990

Abstract: This rulemaking would establish accessibility guidelines to ensure that newly constructed and altered passenger vessels covered by the Americans with Disabilities Act (ADA) are accessible to and usable by individuals with disabilities. The U.S. Department of Transportation and U.S. Department of Justice are expected to adopt the guidelines as enforceable standards in separate rulemakings for the construction and alteration of passenger vessels covered by the ADA.

Timetable:

Action	Date	FR Cite
Notice of Intent to Establish Advisory Committee.	03/30/98	63 FR 15175
Establishment of Advisory Committee.	08/12/98	63 FR 43136
Availability of Draft Guidelines.	11/26/04	69 FR 69244
ANPRM	11/26/04	69 FR 69246
Comment Period Extended.	03/22/05	70 FR 14435
ANPRM Comment Period End.	07/28/05	

Action	Date	FR Cite
Availability of Draft Guidelines.	07/07/06	71 FR 38563
Notice of Intent to Establish Advisory Committee.	06/25/07	72 FR 34653
Establishment of Advisory Committee.	08/13/07	72 FR 45200
NPRM	06/25/13	78 FR 38102
NPRM Comment Period Extended.	08/13/13	78 FR 49248
NPRM Comment Period End.	01/24/14	
Final Action	09/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Gretchen Jacobs, General Counsel, Architectural and Transportation Barriers Compliance Board, 1331 F Street NW., Suite 1000, Washington, DC 20004–1111, *Phone:* 202 272–0040, *TDD Phone:* 202 272–0062, *Fax:* 202 272–0081, *Email: jacobs@access-board.gov.*

RIN: 3014–AA11

[FR Doc. 2015–14367 Filed 6–17–15; 8:45 am]

BILLING CODE 8150–01–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XIV

Environmental Protection Agency

Unified Agenda

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL 9924–87–OP]

Spring 2015 Regulatory Agenda

AGENCY: Environmental Protection Agency.

ACTION: Semiannual regulatory flexibility agenda and semiannual regulatory agenda.

SUMMARY: The Environmental Protection Agency (EPA) publishes the semiannual regulatory agenda online (the e-Agenda) at *http://www.reginfo.gov* and at *www.regulations.gov* to update the public about:

- Regulations currently under development,
- Reviews of existing regulations, and
- Rules completed or canceled since the last agenda.

Definitions

''E-Agenda,'' ''online regulatory agenda,'' and ''semiannual regulatory agenda'' all refer to the same comprehensive collection of information that, until 2007, was published in the **Federal Register** but now is only available through an online database.

''Regulatory Flexibility Agenda'' refers to a document that contains information about regulations that may have a significant impact on a substantial number of small entities. We continue to publish it in the **Federal Register** because it is required by the Regulatory Flexibility Act of 1980.

''Unified Regulatory Agenda'' refers to the collection of all agencies' agendas with an introduction prepared by the Regulatory Information Service Center facilitated by the General Services Administration.

''Regulatory Agenda Preamble'' refers to the document you are reading now. It appears as part of the Regulatory Flexibility Agenda and introduces both the Regulatory Flexibility Agenda and the e-Agenda.

''Regulatory Development and Retrospective Review Tracker'' refers to an online portal to EPA's priority rules and retrospective reviews of existing regulations. More information about the Regulatory Development and Retrospective Review Tracker appears in section H of this preamble.

FOR FURTHER INFORMATION CONTACT: If you have questions or comments about a particular action, please get in touch with the agency contact listed in each agenda entry. If you have general questions about the semiannual regulatory agenda, please contact: Caryn Muellerleile (*muellerleile.caryn@epa.gov*; 202–564–2855).

Table of Contents

A. Links to EPA's Regulatory Information
B. What key statutes and executive orders guide EPA's rule and policymaking process?
C. How can you be involved in EPA's rule and policymaking process?
D. What actions are included in the E-Agenda and the Regulatory Agenda?
E. How is the E-Agenda organized?
F. What information is in the Regulatory Flexibility Agenda and the E-Agenda?
G. How can you find out about rulemakings that start up after the Regulatory Agenda is signed?
H. What tools are available for mining Regulatory Agenda data and for finding more about EPA rules and policies?
I. Reviews of Rules With Significant Impacts on a Substantial Number of Small Entities
J. What other special attention does EPA give to the impacts of rules on small businesses, small governments, and small nonprofit organizations?
K. Thank You for Collaborating With Us

SUPPLEMENTARY INFORMATION:

A. Links to EPA's Regulatory Information

- Semiannual Regulatory Agenda: *www.reginfo.gov* and *www.regulations.gov*
- Semiannual Regulatory Flexibility Agenda: *http://www.gpo.gov/fdsys/search/home.action*
- Regulatory Development and Retrospective Review Tracker: *www.epa.gov/regdarrt*

B. What key statutes and executive orders guide EPA's rule and policymaking process?

A number of environmental laws authorize EPA's actions, including but not limited to:

- Clean Air Act (CAA),
- Clean Water Act (CWA),
- Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund),
- Emergency Planning and Community Right-to-Know Act (EPCRA),
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA),
- Resource Conservation and Recovery Act (RCRA),
- Safe Drinking Water Act (SDWA), and
- Toxic Substances Control Act (TSCA).

Not only must EPA comply with environmental laws, but also administrative legal requirements that apply to the issuance of regulations, such as: the Administrative Procedure Act (APA), the Regulatory Flexibility Act (RFA) as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA), the Unfunded Mandates Reform Act (UMRA), the Paperwork Reduction Act (PRA), the National Technology Transfer and Advancement Act (NTTAA), and the Congressional Review Act (CRA).

EPA also meets a number of requirements contained in numerous Executive Orders: 12866, ''Regulatory Planning and Review'' (58 FR 51735, Oct. 4, 1993), as supplemented by Executive Order 13563, ''Improving Regulation and Regulatory Review'' (76 FR 3821, Jan. 21, 2011); 12898, ''Environmental Justice'' (59 FR 7629, Feb. 16, 1994); 13045, ''Children's Health Protection'' (62 FR 19885, Apr. 23, 1997); 13132, ''Federalism'' (64 FR 43255, Aug. 10, 1999); 13175, ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, Nov. 9, 2000); 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001).

In addition to meeting its mission goals and priorities as described above, EPA continues to review its existing regulations under Executive Order (E.O.) 13563, ''Improving Regulation and Regulatory Review.'' This E.O. provides for periodic retrospective review of existing significant regulations and is intended to determine whether any such regulations should be modified, streamlined, expanded, or repealed, to make the Agency's regulatory program more effective or less burdensome in achieving the regulatory objectives.

C. How can you be involved in EPA's rule and policymaking process?

You can make your voice heard by getting in touch with the contact person provided in each agenda entry. EPA encourages you to participate as early in the process as possible. You may also participate by commenting on proposed rules published in the **Federal Register** (FR).

Instructions on how to submit your comments are provided in each Notice of Proposed Rulemaking (NPRM). To be most effective, comments should contain information and data that support your position, and you also should explain why EPA should incorporate your suggestion in the rule or other type of action. You can be particularly helpful and persuasive if you provide examples to illustrate your concerns and offer specific alternatives.

EPA believes its actions will be more cost effective and protective if the

development process includes stakeholders working with us to help identify the most practical and effective solutions to problems. EPA encourages you to become involved in its rule and policymaking process. For more information about public involvement in EPA activities, please visit *www.epa.gov/open.*

D. What actions are included in the E-Agenda and the Regulatory Flexibility Agenda?

EPA includes regulations in the e-Agenda. However, there is no legal significance to the omission of an item from the agenda, and EPA generally does not include the following categories of actions:

- Administrative actions such as delegations of authority, changes of address, or phone numbers;
- Under the CAA: Revisions to state implementation plans; equivalent methods for ambient air quality monitoring; deletions from the new source performance standards source categories list; delegations of authority to states; area designations for air quality planning purposes;
- Under FIFRA: Registration-related decisions, actions affecting the status of currently registered pesticides, and data call-ins;
- Under the Federal Food, Drug, and Cosmetic Act: Actions regarding pesticide tolerances and food additive regulations;
- Under RCRA: Authorization of State solid waste management plans; hazardous waste delisting petitions;
- Under the CWA: State Water Quality Standards; deletions from the section 307(a) list of toxic pollutants; suspensions of toxic testing requirements under the National Pollutant Discharge Elimination System (NPDES); delegations of NPDES authority to States;
- Under SDWA: Actions on State underground injection control programs.

The Regulatory Flexibility Agenda includes:

- Actions likely to have a significant economic impact on a substantial number of small entities.
- Rules the Agency has identified for periodic review under section 610 of the RFA.

EPA has no reviews under section 610 of the RFA at this time.

E. How is the E-Agenda organized?

You can choose how to organize the agenda entries online by specifying the characteristics of the entries of interest in the desired individual data fields for both the *www.reginfo.gov* and *www.regulations.gov* versions of the e-Agenda. You can sort based on the following characteristics: EPA subagency; stage of rulemaking, which is explained below; alphabetically by title; and by the Regulation Identifier Number (RIN), which is assigned sequentially when an action is added to the agenda.

Each entry in the Agenda is associated with one of five rulemaking stages. The rulemaking stages are:

1. Prerule Stage—This section includes EPA actions generally intended to determine whether the agency should initiate rulemaking. Prerulemakings may include anything that influences or leads to rulemaking, such as Advance Notices of Proposed Rulemaking (ANPRMs), studies or analyses of the possible need for regulatory action.

2. Proposed Rule Stage—This section includes EPA rulemaking actions that are within a year of proposal (publication of Notices of Proposed Rulemakings [NPRMs]).

3. Final Rule Stage—This section includes rules that will be issued as a final rule within a year.

4. Long-Term Actions—This section includes rulemakings for which the next scheduled regulatory action is after May 2016. We urge you to explore becoming involved even if an action is listed in the Long-Term category. By the time an action is listed in the Proposed Rules category, you may have missed the opportunity to participate in certain public meetings or policy dialogues.

5. Completed Actions—This section contains actions that have been promulgated and published in the **Federal Register** since publication of the fall 2014 Agenda. It also includes actions that EPA is no longer considering and has elected to ''withdraw.'' EPA also announces the results of any RFA section 610 review in this section of the agenda.

F. What information is in the Regulatory Flexibility Agenda and the E-Agenda?

The Regulatory Flexibility Agenda entries include only the nine categories of information that are required by the Regulatory Flexibility Act of 1980 and by **Federal Register** Agenda printing requirements: Sequence Number, RIN, Title, Description, Statutory Authority, Section 610 Review (if applicable), Regulatory Flexibility Analysis Required, Schedule and Contact Person. Note that the electronic version of the Agenda (E-agenda) has more extensive information on each of these actions.

E-Agenda entries include:

Title: A brief description of the subject of the regulation. The notation ''Section 610 Review'' follows the title if we are reviewing the rule as part of our periodic review of existing rules under section 610 of the RFA (5 U.S.C. 610).

Priority: Entries are placed into one of five categories described below.

a. Economically Significant: Under Executive Order 12866, a rulemaking that may 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.

b. Other Significant: A rulemaking that is not economically significant but is considered significant for other reasons. This category includes rules that may:

1. Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

2. Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients; or

3. Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles in Executive Order 12866.

c. Substantive, Nonsignificant: A rulemaking that has substantive impacts but is not Significant, Routine and Frequent, or Informational/Administrative/Other.

d. Routine and Frequent: A rulemaking that is a specific case of a recurring application of a regulatory program in the Code of Federal Regulations (*e.g.,* certain State Implementation Plans, National Priority List updates, Significant New Use Rules, State Hazardous Waste Management Program actions, and Tolerance Exemptions). If an action that would normally be classified Routine and Frequent is reviewed by the Office of Management and Budget under EO 12866, then we would classify the action as either ''Economically Significant'' or ''Other Significant.''

e. Informational/Administrative/Other: An action that is primarily informational or pertains to an action outside the scope of EO 12866.

Major: a rule is ''major'' under 5 U.S.C. 801 (Pub. L. 104–121) if it has resulted or is likely to result in an annual effect on the economy of $100 million or more or meets other criteria specified in that Act.

Unfunded Mandates: whether the rule is covered by section 202 of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4). The Act requires that, before issuing an NPRM likely to result

in a mandate that may result in expenditures by State, local, and tribal governments, in the aggregate, or by the private sector of more than $100 million in 1 year.

Legal Authority: The sections of the United States Code (U.S.C.), Public Law (Pub. L.), Executive Order (EO), or common name of the law that authorizes the regulatory action.

CFR Citation: The sections of the Code of Federal Regulations that would be affected by the action.

Legal Deadline: An indication of whether the rule is subject to a statutory or judicial deadline, the date of that deadline, and whether the deadline pertains to a Notice of Proposed Rulemaking, a Final Action, or some other action.

Abstract: A brief description of the problem the action will address.

Timetable: The dates and citations (if available) for all past steps and a projected date for at least the next step for the regulatory action. A date displayed in the form ''10/00/16'' means the agency is predicting the month and year the action will take place but not the day it will occur. For some entries, the timetable indicates that the date of the next action is ''to be determined.''

Regulatory Flexibility Analysis Required: Indicates whether EPA has prepared or anticipates that it will be preparing a regulatory flexibility analysis under section 603 or 604 of the RFA. Generally, such an analysis is required for proposed or final rules subject to the RFA that EPA believes may have a significant economic impact on a substantial number of small entities.

Small Entities Affected: Indicates whether the rule is anticipated to have any effect on small businesses, small governments or small nonprofit organizations.

Government Levels Affected: Indicates whether the rule may have any effect on levels of government and, if so, whether the governments are State, local, tribal, or Federal.

Federalism Implications: Indicates whether the action is expected to 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.

Energy Impacts: Indicates whether the action is a significant energy action under EO 13211.

Sectors Affected: Indicates the main economic sectors regulated by the action. The regulated parties are identified by their North American Industry Classification System (NAICS) codes. These codes were created by the Census Bureau for collecting, analyzing, and publishing statistical data on the U.S. economy. There are more than 1,000 NAICS codes for sectors in agriculture, mining, manufacturing, services, and public administration.

International Trade Impacts: Indicates whether the action is likely to have international trade or investment effects, or otherwise be of international interest.

Agency Contact: The name, address, phone number, and email address, if available, of a person who is knowledgeable about the regulation.

Additional Information: Other information about the action including docket information.

URLs: For some actions, the Internet addresses are included for reading copies of rulemaking documents, submitting comments on proposals, and getting more information about the rulemaking and the program of which it is a part. (Note: To submit comments on proposals, go to the associated electronic docket, which is housed at *www.regulations.gov.* Once there, follow the online instructions to access the docket in question and submit comments. A docket identification [ID] number will assist in the search for materials.)

RIN: The Regulation Identifier Number is used by OMB to identify and track rulemakings. The first four digits of the RIN identify the EPA office with lead responsibility for developing the action.

G. How can you find out about rulemakings that start up after the Regulatory Agenda is signed?

EPA posts monthly information of new rulemakings that the Agency's senior managers have developed. You can find the current list, known as the Action Initiation List; at *http://www2.epa.gov/laws-regulations/actions-initiated-month* where you will also find information about how to get receive notification when a new list is posted.

H. What tools are available for mining Regulatory Agenda data and for finding more about EPA rules and policies?

1. The http://www.reginfo.gov Searchable Database

The Regulatory Information Service Center and Office of Information and Regulatory Affairs have a Federal regulatory dashboard that allows users to view the Regulatory Agenda database (*http://www.reginfo.gov/public/do/eAgendaMain*), which includes search, display, and data transmission options.

2. Subject Matter EPA Web Sites

Some actions listed in the Agenda include a URL that provides additional information about the action.

3. Public Dockets

When EPA publishes either an Advance Notice of Proposed Rulemaking (ANPRM) or a Notice of Proposed Rulemaking (NPRM) in the **Federal Register**, the Agency typically establishes a docket to accumulate materials throughout the development process for that rulemaking. The docket serves as the repository for the collection of documents or information related to a particular Agency action or activity. EPA most commonly uses dockets for rulemaking actions, but dockets may also be used for RFA section 610 reviews of rules with significant economic impacts on a substantial number of small entities and for various non-rulemaking activities, such as **Federal Register** documents seeking public comments on draft guidance, policy statements, information collection requests under the PRA, and other non-rule activities. Docket information should be in that action's agenda entry. All of EPA's public dockets can be located at *www.regulations.gov.*

4. EPA's Regulatory Development and Retrospective Review Tracker

EPA's Regulatory Development and Retrospective Review Tracker (*www.epa.gov/regdarrt/*) serves as a portal to EPA's priority rules, providing you with earlier and more frequently updated information about Agency regulations than is provided by the Regulatory Agenda. It also provides information about retrospective reviews of existing regulations. Not all of EPA's Regulatory Agenda entries appear on Reg DaRRT; only priority rulemakings can be found on this Web site.

I. Reviews of Rules With Significant Impacts on a Substantial Number of Small Entities

Section 610 of the RFA requires that an agency review, within 10 years of promulgation, each rule that has or will have a significant economic impact on a substantial number of small entities. EPA has no 610 reviews at this time. Anticipated future 610 reviews can be viewed at *http://www.epa.gov/rfa/section-610.html.*

J. What other special attention does EPA give to the impacts of rules on small businesses, small governments, and small nonprofit organizations?

For each of EPA's rulemakings, consideration is given whether there

will be any adverse impact on any small entity. EPA attempts to fit the regulatory requirements, to the extent feasible, to the scale of the businesses, organizations, and governmental jurisdictions subject to the regulation.

Under the RFA as amended by SBREFA, the Agency must prepare a formal analysis of the potential negative impacts on small entities, convene a Small Business Advocacy Review Panel (proposed rule stage), and prepare a Small Entity Compliance Guide (final rule stage) unless the Agency certifies a rule will not have a significant economic impact on a substantial number of small entities. For more detailed information about the Agency's policy and practice with respect to implementing RFA/SBREFA, please visit the RFA/SBREFA Web site at *http://www.epa.gov/sbrefa/.*

K. Thank You for Collaborating With Us

Finally, we would like to thank those of you who choose to join with us in making progress on the complex issues involved in protecting human health and the environment. Collaborative efforts such as EPA's open rulemaking process are a valuable tool for addressing the problems we face, and the regulatory agenda is an important part of that process.

Dated: March 16, 2015.

Shannon Kenny,

Principal Deputy Associate Administrator, Office of Policy.

10—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
211	Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles—Phase 2.	2060–AS16

10—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
212	NESHAP for Brick and Structural Clay Products Manufacturing and NESHAP for Clay Ceramics Manufacturing.	2060–AP69
213	General Permits and Permits by Rule for the Tribal Minor New Source Review Program	2060–AR98

10—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
214	Standards of Performance for New Residential Wood Heaters and New Residential Hydronic Heaters and Forced-Air Furnaces.	2060–AP93

35—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
215	Formaldehyde Emissions Standards for Composite Wood Products	2070–AJ92

60—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
216	Financial Responsibility Requirements Under CERCLA Section 108(b) for Classes of Facilities in the Hard Rock Mining Industry.	2050–AG61

ENVIRONMENTAL PROTECTION AGENCY (EPA)

10

Proposed Rule Stage

211. Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles—Phase 2

Legal Authority: 42 U.S.C. 7401 *et seq.* Clean Air Act

Abstract: During the President's second term, the Environmental Protection Agency (EPA) and the Department of Transportation, in close coordination with the California Air Resources Board, will develop a comprehensive National Program for Medium- and Heavy-Duty Vehicle Greenhouse Gas Emission and Fuel Efficiency Standards for model years beyond 2018. These second sets of standards would further reduce greenhouse gas emissions and fuel consumption from a wide range of on-road vehicles from semi-trucks to the largest pickup trucks and vans, and all types and sizes of work trucks and buses. This action will be in continued response to the President's directive to take coordinated steps to produce a new generation of clean vehicles. This action follows the first ever Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles (75 FR September 15, 2011).

Timetable:

Action	Date	FR Cite
NPRM	06/00/15	
Final Rule	01/00/17	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Matt Spears, Environmental Protection Agency, Air and Radiation, Mail Code: ASD1, Ann Arbor, MI 48105, *Phone:* 734 214–4921, *Fax:* 734 214–4816, *Email: spears.mattew@epa.gov*.

Charles Moulis, Environmental Protection Agency, Air and Radiation, NFEVL, Ann Arbor, MI 48105, *Phone:* 734 214–4826.

RIN: 2060–AS16

ENVIRONMENTAL PROTECTION AGENCY (EPA)

10

Final Rule Stage

212. NESHAP for Brick and Structural Clay Products Manufacturing and NESHAP for Clay Ceramics Manufacturing

Legal Authority: 42 U.S.C. 7401 *et seq.et seq.* Clean Air Act

Abstract: This final rulemaking will establish emission limits for hazardous air pollutants (hydrogen flouride (HF), hydrogen chloride (HCl), chlorine (Cl2), PM, dioxin/furan, Hg and metals) emitted from brick and clay ceramics kilns, as well as dryers and glazing operations at clay ceramics production facilities. The brick and structural clay products industry primarily includes facilities that manufacture brick, clay, pipe, roof tile, extruded floor and wall tile, and other extruded dimensional clay products from clay, shale, or a combination of the two. The manufacturing of brick and structural clay products involves mining, raw material processing (crushing, grinding, and screening), mixing, forming, cutting or shaping, drying, and firing. Ceramics are defined as a class of inorganic, nonmetallic solids that are subject to high temperature in manufacture and/or use. The clay ceramics manufacturing source category includes facilities that manufacture traditional ceramics, which include ceramic tile, dinnerware, sanitary ware, pottery, and porcelain. The primary raw material used in the manufacture of these traditional ceramics is clay. The manufacturing of clay ceramics involves raw material processing (crushing, grinding, and screening), mixing, forming, shaping, drying, glazing, and firing.

Timetable:

Action	Date	FR Cite
NPRM	12/18/14	79 FR 75621
NPRM Comment Period Extended.	12/31/14	79 FR 78768
Final Rule	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Sharon Nizich, Environmental Protection Agency, Air and Radiation, D243, Research Triangle Park, NC 27711, *Phone:* 919 541–2825, *Fax:* 919 541–5450, *Email: nizich.sharon@epamail.epa.gov*.

Keith Barnett, Environmental Protection Agency, Air and Radiation, D243–04, Research Triangle Park, NC 27711, *Phone:* 919 541–5605, *Fax:* 919 541–5450, *Email: barnett.keith@epa.gov*.

RIN: 2060–AP69

213. General Permits and Permits by Rule for the Tribal Minor New Source Review Program

Legal Authority: 42 U.S.C. 7401 *et seq.* Clean Air Act

Abstract: The Tribal Minor New Source Review (NSR) program applies to new and modified minor sources and minor modifications at major sources of air pollution in Indian Country. The program, established in 2011, is implemented through issuance of preconstruction permits that can include, among other requirements, pollutant emission limits for minor sources and emission limitations on the potential of sources to emit pollution that would otherwise be considered major sources. This minor source program for Indian Country is similar to State minor NSR programs. State minor NSR programs often use general permits, and a few State programs allow permits by rule as streamlined permitting approaches for similar emission units or stationary sources. This action finalizes general permits and permits by rule for certain source categories of minor sources wishing to locate in Indian Country. This action finalizes general permits for the following five source categories: boilers, spark ignition engines, compression ignition engines, concrete batch plants, and sawmills. This action finalizes a general permit (and a permit by rule in the alternative) for graphic arts and printing operations.

Timetable:

Action	Date	FR Cite
NPRM	07/17/14	79 FR 41845
NPRM Comment Period Extended.	08/19/14	79 FR 49031
Final Rule	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Chris Stoneman, Environmental Protection Agency, Air and Radiation, C304–01, Research Triangle Park, NC 27711, *Phone:* 919 541–0823, *Fax:* 919 541–0072, *Email: stoneman.chris@epa.gov*.

Mark Sendzik, Environmental Protection Agency, Air and Radiation, C–304.03, Research Triangle Park, NC 27711, *Phone:* 919 541–5534, *Fax:* 919 541–0942, *Email: sendzik.mark@epa.gov*.

RIN: 2060–AR98

ENVIRONMENTAL PROTECTION AGENCY (EPA)

10

Completed Actions

214. Standards of Performance for New Residential Wood Heaters and New Residential Hydronic Heaters and Forced-Air Furnaces

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

Abstract: On February 3, 2015, EPA signed a final rule that made revisions to the New Source Performance Standards (NSPS) for new residential wood heaters. This action updates the 1988 NSPS to reflect significant advancements in wood heater technologies and design, broadens the range of residential wood-heating appliances covered by the regulation, and improves and streamlines implementation procedures. This rule requires manufacturers to redesign wood heaters to be cleaner and lower emitting. In general, the design changes would also make the heaters perform better and be more efficient. The revisions will streamline the process for testing new model lines by allowing the use of International Standards Organization (ISO)-accredited laboratories and certifying bodies, which will expand the number of facilities that can be used for testing and certification of the new model lines. This action includes the following new residential wood-heating appliances: adjustable burn rate wood heaters, pellet stoves, single burn rate wood heaters, outdoor hydronic heaters (outdoor wood boilers), indoor hydronic heaters (indoor wood boilers), wood-fired forced air furnaces, and masonry heaters. These standards apply only to

new residential wood heaters and not to existing residential wood-heating appliances.

Timetable:

Action	Date	FR Cite
NPRM	02/03/14	79 FR 6329
Notice	07/01/14	79 FR 37259
Final Rule	03/16/15	80 FR 13671
Final Action Effective.	05/15/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Gil Wood, Environmental Protection Agency, Air and Radiation, C404–05, Research Triangle Park, NC 27711, *Phone:* 919 541–5272, *Fax:* 919 541–0242, *Email: wood.gil@epa.gov*.

David Cole, Environmental Protection Agency, Air and Radiation, C404–05, Research Triangle Park, NC 27711, *Phone:* 919 541–5565, *Fax:* 919 541–0242, *Email: cole.david@epa.gov*.

RIN: 2060–AP93

ENVIRONMENTAL PROTECTION AGENCY (EPA)

35

Final Rule Stage

215. Formaldehyde Emissions Standards for Composite Wood Products

Legal Authority: 15 U.S.C. 2697 Toxic Substances Control Act

Abstract: The EPA is developing a final rule under the Formaldehyde Standards for Composite Wood Products Act that was enacted in 2010 as title VI of Toxic Substances Control Act (TSCA), 15 U.S.C. 2697, and requires that the EPA promulgate implementing regulations to establish specific formaldehyde emission limits for hardwood plywood, particleboard, and medium-density fiberboard, which limits are identical to the California emission limits for these products. In 2013, the EPA proposed regulations to implement emissions standards established by TSCA title VI for composite wood products sold, supplied, offered for sale, or manufactured in the United States. Pursuant to TSCA section 3(7), the definition of ''manufacture'' includes import. As required by title VI, these regulations apply to hardwood plywood, medium-density fiberboard, and particleboard. TSCA title VI also directs EPA to promulgate supplementary provisions to ensure compliance with the emissions standards, including provisions related to labeling; chain of custody requirements; sell-through provisions; ULEF resins; no-added formaldehyde-based resins; finished goods; third-party testing and certification; auditing and reporting of third-party certifiers; recordkeeping; enforcement; laminated products; and exceptions from the requirements of regulations promulgated pursuant to this subsection for products and components containing de minimis amounts of composite wood products. A separate Regulatory Agenda entry (RIN 2070–AJ44) addresses requirements for accrediting bodies and third-party certifiers. EPA may decide to issue a single final rule to promulgate the final requirements related to both proposed rules.

Timetable:

Action	Date	FR Cite
NPRM	06/10/13	78 FR 34820
NPRM Comment Period Extended.	07/23/13	78 FR 44089
NPRM Comment Period Extended.	08/21/13	78 FR 51695
Notice	04/08/14	79 FR 19305
NPRM Comment Period Extended.	05/09/14	79 FR 26678
Final Rule	11/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cindy Wheeler, Environmental Protection Agency, Office of Chemical Safety and Pollution Prevention, 7404T, Washington, DC 20460, *Phone:* 202 566–0484, *Email: wheeler.cindy@epa.gov*.

Lynn Vendinello, Environmental Protection Agency, Office of Chemical Safety and Pollution Prevention, 7404T, Washington, DC 20460, *Phone:* 202 566–0514, *Fax:* 202 564–0473, *Email: vendinello.lynn@epa.gov*.

RIN: 2070–AJ92

ENVIRONMENTAL PROTECTION AGENCY (EPA)

60

Long-Term Actions

216. Financial Responsibility Requirements Under CERCLA Section 108(B) for Classes of Facilities in the Hard Rock Mining Industry

Legal Authority: 42 U.S.C. 9601; 42 U.S.C. 9608(b)

Abstract: Section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, establishes certain authorities concerning financial responsibility requirements. The Agency has identified classes of facilities within the hard rock mining industry as those for which financial responsibility requirements will be first developed. EPA intends to include requirements for financial responsibility, as well as notification and implementation.

Timetable:

Action	Date	FR Cite
Notice	07/28/09	74 FR 37213
NPRM	08/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Ben Lesser, Environmental Protection Agency, Solid Waste and Emergency Response, 5302P, Washington, DC 20460, *Phone:* 703 308–0314, *Email: lesser.ben@epa.gov*.

Barbara Foster, Environmental Protection Agency, Solid Waste and Emergency Response, 5304P, Washington, DC 20460, *Phone:* 703 308–7057, *Email: foster.barbara@epamail.epa.gov*.

RIN: 2050–AG61

[FR Doc. 2015–14368 Filed 6–17–15; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XV

General Services Administration

Unified Agenda

GENERAL SERVICES ADMINISTRATION

41 CFR Chs. 101, 102, 300, and 301

48 CFR Chapter 5

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: General Services Administration (GSA).

ACTION: Semiannual Regulatory Agenda.

SUMMARY: This agenda announces the proposed regulatory actions that GSA plans for the next 12 months and those that were completed since the fall 2014 edition. This agenda was developed under the guidelines of Executive Order 12866 ''Regulatory Planning and Review.'' GSA's purpose in publishing this agenda is to allow interested persons an opportunity to participate in the rulemaking process. GSA also invites interested persons to recommend existing significant regulations for review to determine whether they should be modified or eliminated. Proposed rules may be reviewed in their entirety at the Government's rulemaking Web site at *http://www.regulations.gov.*

Since the fall 2007 edition, the Internet has been the basic means for disseminating the Unified Agenda. The complete Unified Agenda will be available online at *www.reginfo.gov,* in a format that offers users a greatly enhanced ability to obtain information from the Agenda database.

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), GSA's printed agenda entries include only:

(1) Rules that are in the Agency's regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and

(2) Any rules that the Agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's Agenda requirements. Additional information on these entries is available in the Unified Agenda published on the Internet. In addition, for fall editions of the Agenda, the entire Regulatory Plan will continue to be printed in the **Federal Register**, as in past years, including GSA's regulatory plan.

FOR FURTHER INFORMATION CONTACT: Hada Flowers, Division Director, Regulatory Secretariat Division at (202) 501–4755.

Dated: March 20, 2015.

Giancarlo Brizzi,

Principal Deputy Associate Administrator, Office of Governmentwide Policy.

GENERAL SERVICES ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
217	General Services Administration Acquisition Regulation (GSAR); GSAR Case 2013–G504, Transactional Data Reporting.	3090–AJ51
218	General Services Administration Regulation (GSAR); GSAR Case 2015–G508, Removal of Unnecessary Construction Clauses and Editorial Changes.	3090–AJ57

GENERAL SERVICES ADMINISTRATION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
219	General Services Administration Acquisition Regulation (GSAR); GSAR Case 2010–G511, Purchasing by Non-Federal Entities.	3090–AJ43

GENERAL SERVICES ADMINISTRATION (GSA)

Office of Acquisition Policy

Proposed Rule Stage

217. General Services Administration Acquisition Regulation (GSAR); GSAR Case 2013–G504, Transactional Data Reporting

Legal Authority: 40 U.S.C. 121(c)

Abstract: The General Services Administration (GSA) announced a public meeting and request for comment on its proposal to amend the General Services Administration Acquisition Regulation (GSAR) to require vendors to report transactional data from orders and prices paid by ordering activities. This includes orders placed against both Federal Supply Schedule (FSS) contract vehicles and GSA's non-FSS contract vehicles, Governmentwide Acquisition Contracts (GWACs) and Multi-Agency Contracts (MACs). The proposed amendment to the GSAR will add an alternate version of the existing GSAR clause 552.238–74 Industrial Funding Fee and Sales Reporting (IFF) (Federal Supply Schedule) and a new GSAR clause 552.216–75 Sales Reporting and Fee Remittance. Both clauses include the new reporting requirement. Under the FSS program, vendors that agree to the new transactional reporting requirement will have their contracts modified with an alternate version of clause 552.238–75 Price Reductions; the alternate version of clause 552.238–75 does not require the vendor to monitor and provide price reductions to the Government when the customer or category of customer upon which the contract was predicated receives a discount. GSA will implement the new transactional data reporting requirements in phases, beginning with specific contract vehicles, including a few select Federal Supply Schedules, or Special Item Numbers that show the greatest potential to optimize transactional data via category management and reduced price variability. GSA will engage stakeholders throughout the phases of the implementation.

Once implemented, the new GSAR transactional data reporting clauses will enable GSA to provide Federal agencies with further market intelligence and expert guidance in procuring goods and services in each category of GSA acquisition vehicles. The new requirement will not affect the Department of Veterans Affairs (VA) FSS contract holders.

GSA is interested in conducting a dialogue with industry and interested parties in Government about the

proposed change. GSA is seeking feedback on potential impacts to agency customers and contractors alike. Feedback will be used to help inform the development of regulations and other guidance to implement the proposed clauses, provisions, and prescriptions. This case is included in GSA's retrospective review of existing regulations under Executive Order 13563. Additional information is located in GSA's retrospective review (2015), available at: *www.gsa.gov/improvingregulations.*

Timetable:

Action	Date	FR Cite
NPRM	03/04/15	80 FR 11619
NPRM Comment Period End.	05/04/15	
NPRM Comment Period Extended.	05/06/15	80 FR 25994
NPRM Comment Period Extended End.	05/11/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dana L Munson, Procurement Analyst, General Services Administration, 1800 F Street NW., Washington, DC 20405, *Phone:* 202 357–9652, *Email: dana.munson@gsa.gov.*

RIN: 3090–AJ51

218. • General Services Administration Regulation (GSAR); GSAR CASE 2015–G508, Removal of Unnecessary Construction Clauses and Editorial Changes

Legal Authority: 40 U.S.C. 121(c)

Abstract: The General Services Administration (GSA) is issuing a proposed rule amending the General Services Administration Acquisition Regulation (GSAR) to revise GSAR part 536, Construction and Architect-Engineer Contracts, and corresponding provisions and clauses in GSAR part 552, Solicitation Provisions and Contract Clauses, to remove unnecessary construction clauses.

Timetable:

Action	Date	FR Cite
NPRM	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Christina Mullins, Procurement Analyst, General Services Administration, 1800 F Street NW., Washington, DC 20405, *Phone:* 202 969–4966, *Email: christina.mullins@gsa.gov.*

RIN: 3090–AJ57

GENERAL SERVICES ADMINISTRATION (GSA)

Office of Acquisition Policy

Final Rule Stage

219. General Services Administration Acquisition Regulation (GSAR); GSAR Case 2010–G511, Purchasing by Non-Federal Entities

Legal Authority: 40 U.S.C. 121(c)

Abstract: The General Services Administration (GSA) issued a proposed rule amending the General Services Administration Acquisition Regulation (GSAR), Describing Agency Needs, to implement the Federal Supply Schedules Usage Act of 2010 (FSSUA), the Native American Housing Assistance and Self-Determination Reauthorization Act of 2008 (NAHASDA), the John Warner National Defense Authorization Act for Fiscal Year 2007 (NDAA), and the Local Preparedness Acquisition Act for Fiscal Year 2008 (LPAA), to provide increased access to GSA's Federal Supply Schedules (Schedules). GSA is also amending the GSAR regarding Federal Supply Schedule Contracting and Solicitation Provisions and Contract Clauses, in regard to this statutory implementation. This case is included in GSA's retrospective review of existing regulations under Executive Order 13563. Additional information is located in GSA's retrospective review (2015), available at: *www.gsa.gov/improvingregulations.*

Timetable:

Action	Date	FR Cite
NPRM	04/17/14	79 FR 21691
NPRM Comment Period End.	06/16/14	
Final Rule	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dana L Munson, Procurement Analyst, General Services Administration, 1800 F Street NW., Washington, DC 20405, *Phone:* 202 357–9652, *Email: dana.munson@gsa.gov.*

RIN: 3090–AJ43

[FR Doc. 2015–14369 Filed 6–17–15; 8:45 am]

BILLING CODE 6820–34–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XVI

National Aeronautics and Space Administration

Unified Agenda

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

14 CFR Ch. V

Regulatory Agenda

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Semiannual regulatory agenda.

SUMMARY: NASA's regulatory agenda describes those regulations being considered for development or amendment by NASA, the need and legal basis for the actions being considered, the name and telephone number of the knowledgeable official, whether a regulatory analysis is required, and the status of regulations previously reported.

ADDRESSES: Deputy Associate Administrator, Office Mission Support Directorate, NASA Headquarters, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Cheryl E. Parker, (202) 358–0252.

SUPPLEMENTARY INFORMATION: OMB guidelines dated February 23, 2015, ''Spring 2015 Unified Agenda of Federal Regulatory and Deregulatory Actions,'' require a regulatory agenda of those regulations under development and review to be published in the **Federal Register** each spring and fall.

Dated: March 23, 2015.

Krista Paquin,

Deputy Associate Administrator, Office of the Mission Support Directorate.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
220	NASA FAR Supplement, Safety and Health Measures and Mishap Reporting **(Section 610 Review)**	2700–AE16
221	NASA FAR Supplement Drug and Alcohol Free Workforce **(Section 610 Review)**	2700–AE17

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
222	Collection of Civil Claims of the United States Arising Out of the Activities of NASA **(Section 610 Review)**	2700–AD83
223	Discrimination on Basis of Disability in Federally Assisted Programs and Activities **(Section 610 Review)**	2700–AD85

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)

Proposed Rule Stage

220. NASA FAR Supplement, Safety and Health Measures and Mishap Reporting (Section 610 Review)

Legal Authority: Not Yet Determined

Abstract: This rule revises the NASA FAR Supplement (NFS) to change the title of clause 1852.223–70 to better reflect its content and also to update the clause to include current safety requirements and delete obsolete coverage.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: No.

Agency Contact: Marilyn Chambers, Program Analyst, Office of Procurement, National Aeronautics and Space Administration, 300 E Street SW., Washington, DC 20746, *Phone:* 202 358–5154, *Email: marilyn.chambers@nasa.gov*.

RIN: 2700–AE16

221. NASA FAR Supplement Drug and Alcohol Free Workforce (Section 610 Review)

Legal Authority: 51 U.S.C. 20113(c)

Abstract: NASA is proposing to amend the NASA FAR Supplement (NFS) to remove requirements related to the discontinued Space Flight Mission Critical Systems Personnel Reliability Program and to revise requirements related to contractor drug and alcohol testing.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: No.

Agency Contact: Marilyn Chambers, Program Analyst, Office of Procurement, National Aeronautics and Space Administration, 300 E Street SW., Washington, DC 20746, *Phone:* 202 358–5154, *Email: marilyn.chambers@nasa.gov*.

RIN: 2700–AE17

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)

Final Rule Stage

222. Collection of Civil Claims of the United States Arising Out of the Activities of NASA (Section 610 Review)

Legal Authority: 31 U.S.C. 3711

Abstract: This Direct Final Rule amends 14 CFR 1261 subpart 4 to make non-substantive changes in the amount to collect installment payments from $20000 to $100000 to align with title 31 subchapter II Claims of the United States Government section 3711 (a)(2) Collection and Compromise. Subpart 4 prescribes standards for the administrative collection compromise suspension or termination of collection and referral to the Government Accountability Office (GAO) and/or to the Department of Justice for litigation of civil claims as defined by 31 U.S.C. 3701(b) arising out of the activities of designated NASA officials authorized to effect actions and requires compliance with GAO/DOJ joint regulations at 4 CFR parts 101–105 and the Office of Personnel Management regulations at 5 CFR part 550 subpart K. There are also some statute citation and terminology updates. The revisions to this rule are part of NASA's retrospective plan under Executive Order 13563 completed in August 2011. NASA's full plan can be accessed at: *http://www.nasa.gov/open.*

Timetable:

Action	Date	FR Cite
Direct Final Rule	07/00/15	

Regulatory Flexibility Analysis Required: No.

Agency Contact: Laura Burns, Law Librarian, National Aeronautics and Space Administration, Office of the General Counsel, 300 E Street SW., Washington, DC 20546, *Phone:* 202 358–

2078, *Fax:* 202 358–4955, *Email: laura.burns-1@nasa.gov*.

RIN: 2700–AD83

223. Discrimination on Basis of Disability in Federally Assisted Programs and Activities (Section 610 Review)

Legal Authority: 29 U.S.C. 794, sec 504 of the Rehabilitation Act of 1973, amended

Abstract: This proposed rule will amend 14 CFR 1251 to align with the Department of Justice's (DOJ) implementing regulations incorporating the new accessibility standards. Other amendments include updates to organizational information, use of the term ''disability'' in lieu of the term ''handicap,'' changes to definitions, and other sections based on the Americans With Disabilities Act of 2008. Part 1251 implements the federally assisted provisions of section 504 of the Rehabilitation Act of 1973 (section 504), as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of disability by recipients of Federal Financial Assistance from NASA. Under Executive Order 12250, the United States Attorney General has the authority to coordinate the implementation and enforcement of a variety of civil rights statutes by Federal agencies such as NASA, including section 504. The revisions to this rule are part of NASA's retrospective plan under Executive Order 13563, completed in August 2011. NASA's full plan can be accessed at: *http://www.nasa.gov/open.*

Timetable:

Action	Date	FR Cite
NPRM	11/13/14	79 FR 67384
NPRM Comment Period End.	12/15/14	
Final Rule	07/00/15	

Regulatory Flexibility Analysis Required: No.

Agency Contact: Robert W Cosgrove, External Compliance Manager, National Aeronautics and Space Administration, 300 E Street SW., Washington, DC 20546, *Phone:* 202 358–0446, *Fax:* 202 358–3336, *Email: robert.cosgrove@nasa.gov*.

RIN: 2700–AD85

[FR Doc. 2015–14370 Filed 6–17–15; 8:45 am]

BILLING CODE 7510–13–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XVII

Small Business Administration

Unified Agenda

SMALL BUSINESS ADMINISTRATION

13 CFR Ch. I

Semiannual Regulatory Agenda

AGENCY: U.S. Small Business Administration (SBA).

ACTION: Semiannual regulatory agenda.

SUMMARY: This Regulatory Agenda is a semiannual summary of all current and projected rulemakings and completed actions of the Small Business Administration (SBA). SBA expects that this summary information will enable the public to be more aware of, and effectively participate in, SBA's regulatory activity. SBA invites the public to submit comments on any aspect of this Agenda.

FOR FURTHER INFORMATION CONTACT:

General

Please direct general comments or inquiries to Imelda A. Kish, Law Librarian, U.S. Small Business Administration, 409 Third Street SW., Washington, DC 20416, (202) 205–6849, *imelda.kish@sba.gov*.

Specific

Please direct specific comments and inquiries on individual regulatory activities identified in this Agenda to the individual listed in the summary of the regulation as the point of contact for that regulation.

SUPPLEMENTARY INFORMATION: SBA provides this notice under the requirements of the Regulatory Flexibility Act, 5 U.S.C. sections 601 to 612 and Executive Order 12866, ''Regulatory Planning and Review,'' which require each agency to publish a semiannual agenda of regulations. The Regulatory Agenda is a summary of all current and projected Agency rulemakings, as well as actions completed since the publication of the last Regulatory Agenda. SBA's last Semiannual Regulatory Agenda was published on December 22, 2014, at 79 FR 76788. The Semiannual Agenda of the SBA conforms to the Unified Agenda format developed by the Regulatory Information Service Center.

Beginning with the fall 2007 edition, the Unified Agenda has been disseminated via the Internet. The complete Unified Agenda will be available online at *www.reginfo.gov* in a format that greatly enhances a user's ability to obtain information about the rules in SBA's Agenda.

The Regulatory Flexibility Act requires federal agencies to publish their regulatory flexibility agendas in the **Federal Register**. Therefore, SBA's printed agenda entries include regulatory actions that are in the SBA's regulatory flexibility agenda because they are likely to have a significant economic impact on a substantial number of small entities. Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's Agenda requirements. Additional information on these entries is available in the Unified Agenda published on the Internet.

Maria Contreras-Sweet,

Administrator.

SMALL BUSINESS ADMINISTRATION—PRERULE STAGE

Sequence No.	Title	Regulation Identifier No.
224	Small Business Timber Set Aside Program	3245–AG69

SMALL BUSINESS ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
225	Small Business Development Center Program Revisions	3245–AE05
226	Loan Program Miscellaneous Amendments	3245–AF85
227	Implementation of Small Business Disaster Response and Loan Improvement Act: Expedited Disaster Assistance Program.	3245–AF88
228	Implementation of Small Business Disaster Response and Loan Improvement Act: Private Disaster Loan Program.	3245–AF99
229	Office of Women Owned Business: Women's Business Center Program	3245–AG02
230	Small Business Size Standards; Alternative Size Standard for 7(a), 504, and Disaster Loan Programs	3245–AG16
231	Small Business HUBZone Program	3245–AG38
232	Record Disclosure and Privacy	3245–AG52
233	Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Policy Directives; Data Rights; Phase III Award Preference; Other Clarifying Amendments.	3245–AG64
234	Small Business Investment Companies; Impact SBICs	3245–AG66
235	Small Business Investment Companies; Passive Business Expansion & Technical Clarifications	3245–AG67
236	Surety Bond Guarantee Program; Miscellaneous Amendments	3245–AG70
237	Credit for Lower Tier Subcontracting	3245–AG71
238	Women-Owned Small Business Federal Contract Program	3245–AG72
239	Affiliation for Business Loan Programs and Surety Bond Guarantee Program	3245–AG73

SMALL BUSINESS ADMINISTRATION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
240	Small Business Mentor-Protégé Programs	3245–AG24
241	Agent Revocation and Suspension Procedures	3245–AG40
242	Small Business Size Standards: Employee Based Size Standards in Wholesale Trade and Retail Trade	3245–AG49
243	Small Business Size Standards for Manufacturing	3245–AG50

SMALL BUSINESS ADMINISTRATION—FINAL RULE STAGE—Continued

Sequence No.	Title	Regulation Identifier No.
244	Small Business Size Standards: Industries With Employee-Based Size Standards Not Part of Manufacturing, Wholesale Trade, or Retail Trade.	3245–AG51
245	Small Business Government Contracting and National Defense Authorization Act of 2013 Amendments	3245–AG58
246	Advisory Small Business Size Decisions	3245–AG59
247	Small Business Size Standards; Inflation Adjustment to Monetary-Based Size Standards	3245–AG60

SMALL BUSINESS ADMINISTRATION (SBA)

Prerule Stage

224. Small Business Timber Set Aside Program

Legal Authority: 15 U.S.C. 631; 15 U.S.C. 644(a)

Abstract: Under the Small Business Timber Set-Aside Program, timber sales must be set aside for small business when small business participation falls below a certain amount. This threshold is based on a computation of small business participation in a prior five-year period. Through this ANPRM SBA will seek public comment and information on whether the saw timber volume purchased through stewardship timber contracts should be included, which may expand the small business set-aside calculation. SBA will also seek public comment on whether the appraisal point used in set-aside sales should be the nearest small business mill to reflect the actual cost to an eligible bidder. In addition, SBA is requesting data from the timber industry to help evaluate the current program and economic impact of potential changes.

Timetable:

Action	Date	FR Cite
ANPRM	03/25/15	80 FR 15697
ANPRM Comment Period End.	05/26/15	
NPRM	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brenda J. Fernandez, Procurement Analyst, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–7337, *Email: brenda.fernandez@sba.gov.*

RIN: 3245–AG69

SMALL BUSINESS ADMINISTRATION (SBA)

Proposed Rule Stage

225. Small Business Development Center Program Revisions

Legal Authority: 15 U.S.C. 634(b)(6); 15 U.S.C. 648

Abstract: Updates the SBDC program regulations by amending the (1) procedures for approving applications for new Host SBDCs; (2) approval procedures for travel outside the continental U.S. and U.S. territories; (3) procedures and requirements regarding findings and disputes resulting from financial exams, programmatic reviews, accreditation reviews, and other SBA oversight activities; (4) requirements for new or renewal applications for SBDC grants, including the requirements for electronic submission through the approved electronic Government submission facility; and (5) provisions regarding the collection and use of the individual SBDC client data.

Timetable:

Action	Date	FR Cite
ANPRM	04/02/15	80 FR 17708
ANPRM Comment Period End.	06/01/15	
NPRM	01/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: J. Chancy Lyford, Deputy Associate Administrator, Office of Small Development Centers, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–7159, *Fax:* 202 481–2613, *Email: chancy.lyford@sba.gov.*

RIN: 3245–AE05

226. Loan Program Miscellaneous Amendments

Legal Authority: 15 U.S.C. 636(a)(31) and (35)

Abstract: Preferred Lender Program (PLP) and SBA Express and Export Express lenders are those which have been delegated the loan decision without prior approval from SBA under certain circumstances. The Express programs will be memorialized in regulations in this proposal. Several minor modifications to the 504 Loan Program and governance rules for Certified Development Company (CDC) are also proposed in a follow-on to the recent Final Rule: 504 and 7(a) Loan Program Updates (March 21, 2014), along with alignment of terminology for 7(a) lenders that are federally regulated to synchronize with existing industry requirements. Finally, SBA plans to propose several miscellaneous amendments to improve operations of its finance and disaster programs.

Timetable:

Action	Date	FR Cite
NPRM	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Linda Rusche, Director, Office of Financial Assistance, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–6396, *Email: linda.rusche@sba.gov.*

RIN: 3245–AF85

227. Implementation of Small Business Disaster Response and Loan Improvement Act: Expedited Disaster Assistance Program

Legal Authority: 15 U.S.C. 636j

Abstract: This proposed rule would establish and implement an expedited disaster assistance business loan program under which the SBA will guarantee short-term loans made by private lenders to eligible small businesses located in a catastrophic disaster area. The maximum loan amount is $150,000, and SBA will guarantee timely payment of principal and interest to the lender. The maximum loan term will be 180 days, and the interest rate will be limited to 300 basis points over the Federal funds rate.

Timetable:

Action	Date	FR Cite
NPRM	11/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Linda Rusche, Director, Office of Financial Assistance, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–6396, *Email: linda.rusche@sba.gov*.

RIN: 3245–AF88

228. Implementation of Small Business Disaster Response and Loan Improvement Act: Private Disaster Loan Program

Legal Authority: 15 U.S.C. 636(c)

Abstract: This proposed rule would establish and implement a private disaster loan program under which SBA will guarantee loans made by qualified lenders to eligible small businesses and homeowners located in a catastrophic disaster area. Private disaster loans made under this programs will have the same terms and conditions as SBA's direct disaster loans. In addition, SBA will guarantee timely payment of principal and interest to the lender. SBA may guarantee up to 85 percent of any loan under this program, and the maximum loan amount is $2 million.

Timetable:

Action	Date	FR Cite
NPRM	11/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Linda Rusche, Director, Office of Financial Assistance, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–6396, *Email: linda.rusche@sba.gov*.

RIN: 3245–AF99

229. Office of Women Owned Business: Women's Business Center Program

Legal Authority: 15 U.S.C. 631; 15 U.S.C. 656

Abstract: SBA's Office of Women's Business Ownership (OWBO) oversees a network of SBA-funded Women's Business Centers (WBCs) throughout the United States and its territories. WBCs provide management and technical assistance to small business concerns both nascent and established, with a focus on such businesses that are owned and controlled by women, or on women planning to start a business, especially women who are economically or socially disadvantaged. The training and counseling provided by the WBCs encompass a comprehensive array of topics, such as finance, management and marketing in various languages. This rule would propose to codify the requirements and procedures that govern the delivery, funding and evaluation of the management and technical assistance provided under the WBC Program. The rule would address, among other things, the eligibility criteria for selection as a WBC, use of Federal funds, standards for effectively carrying out program duties and responsibilities, and the requirements for reporting on financial and programmatic performance.

Timetable:

Action	Date	FR Cite
ANPRM	04/22/15	80 FR 22434
ANPRM Comment Period End.	06/22/15	
NPRM	05/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Bruce D. Purdy, Deputy Assistant Administrator, Office of Women's Business Ownership, Small Business Administration, Washington, DC 20416, *Phone:* 202 205–7532, *Email: bruce.purdy@sba.gov*.

RIN: 3245–AG02

230. Small Business Size Standards; Alternative Size Standard for 7(A), 504, and Disaster Loan Programs

Legal Authority: Pub. L. 111–240, sec 1116

Abstract: SBA will amend its size eligibility criteria for Business Loans, community development company (CDC) loans under title V of the Small Business Investment Act (504) and economic injury disaster loans (EIDL). For the SBA 7(a) Business Loan Program and the 504 program, the amendments will provide an alternative size standard for loan applicants that do not meet the small business size standards for their industries. The Small Business Jobs Act of 2010 (Jobs Act) established alternative size standards that apply to both of these programs until SBA's Administrator establishes other alternative size standards. For the disaster loan program, the amendments will provide an alternative size standard for loan applicants that do not meet the Small Business Size Standard for their industries. These alternative size standards do not affect other Federal Government programs, including Federal procurement.

Timetable:

Action	Date	FR Cite
NPRM	11/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dr. Khem Raj Sharma, Chief, Office of Size Standards, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–7189, *Fax:* 202 205–6390, *Email: khem.sharma@sba.gov*.

RIN: 3245–AG16

231. Small Business Hubzone Program

Legal Authority: 15 U.S.C. 657a

Abstract: SBA has been reviewing its processes and procedures for implementing the HUBZone program and has determined that several of the regulations governing the program should be amended in order to resolve certain issues that have arisen. As a result, the proposed rule would constitute a comprehensive revision of part 126 of SBA's regulations to clarify current HUBZone Program regulations, and implement various new procedures. The amendments will make it easier for participants to comply with the program requirements and enable them to maximize the benefits afforded by participation. In developing this proposed rule, SBA will focus on the principles of Executive Order 13563 to determine whether portions of regulations should be modified, streamlined, expanded or repealed to make the HUBZone program more effective and/or less burdensome on small business concerns. At the same time, SBA will maintain a framework that helps identify and reduce waste, fraud, and abuse in the program.

Timetable:

Action	Date	FR Cite
NPRM	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Mariana Pardo, Director, Office of HubZone, Small Business Administration, 409 3rd Street SW., Washington, DC 20416, *Phone:* 202 205–2985, *Email: mariana.pardo@sba.gov*.

RIN: 3245–AG38

232. Record Disclosure and Privacy

Legal Authority: 5 U.S.C. 301, 552 and 552(a); 31 U.S.C. 9701; 44 U.S.C. 3501 *et seq.*; E.O. 12600; 52 FR 23781

Abstract: SBA is amending its Record Disclosure and Privacy regulations to implement the Openness Promotes Effectiveness in our National Government Act. The amendments, among other things, will update the Agency's Freedom of Information Act regulations to adjust the time for the public to submit an appeal of SBA's decision regarding a request for information, correct an obsolete address and provide applicable Web site addresses, and clarify the definition of news media for purposes of assessing processing fees.

Timetable:

Action	Date	FR Cite
NPRM	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Linda M. DiGiandomenico, Acting Chief, Freedom of Information, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 401–8206, *Email: linda.digiandomenico@sba.gov*.

RIN: 3245–AG52

233. Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Policy Directives; Data Rights; Phase III Award Preference; Other Clarifying Amendments

Legal Authority: 15 U.S.C. 638(p); Pub. L. 112–81, sec 5001, *et seq.*

Abstract: This Directive seeks comments from the public on two key areas of the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Policy Directives that the SBA is considering revising: SBIR/STTR data rights, and the Government's responsibilities with respect to SBIR/STTR Phase III awards. The SBA intends to update policy directive language on miscellaneous topics including the calculation of extramural R/R&D and to provide greater clarity and detail on these issues in the Policy Directive. SBA also intends to combine the directives for the two programs into a single document to simplify the reference and revision processes.

Timetable:

Action	Date	FR Cite
ANPRM	11/07/14	79 FR 66342
ANPRM Comment Period End.	01/06/15	
NPRM	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Edsel M. Brown Jr., Assistant Director, Office of Innovation, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–6450, *Email: edsel.brown@sba.gov*.

RIN: 3245–AG64

234. Small Business Investment Companies; Impact SBICs

Legal Authority: 15 U.S.C. 681

Abstract: This rule will establish a regulatory structure for the SBIC Programs Impact Investment Fund, which is currently being implemented through a policy memorandum to interested applicants. The rule will establish a new type of SBIC license called the Impact SBIC license and will include application and examination fee considerations to incentivize Impact Investment Fund participation. Impact SBICs may also be able to access Early Stage leverage on the same terms as Early Stage SBICs without applying through the Early Stage call process defined in 107.310. This will allow Impact SBICs with early stage strategies to apply for the program. The new license will be available to investment funds that meet the SBIC Programs licensing qualifications and commit to invest at least 50% of their invested capital in impact investments as defined in the rule. The rule will also outline reporting and performance measures for licensed funds to maintain Impact Investment Fund designation. The goal of the Impact Investment Fund is to support small business investment strategies that maximize financial returns while also yielding enhanced social environmental or economic impacts as part of the SBIC Programs overall effort to supplement the flow of private equity and long-term loan funds to small businesses whose capital needs are not being met.

Timetable:

Action	Date	FR Cite
NPRM	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jeff Finkelman, Presidential Management Fellow, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–2414, *Email: jeff.finkelman@sba.gov*.

RIN: 3245–AG66

235. Small Business Investment Companies; Passive Business Expansion & Technical Clarifications

Legal Authority: 15 U.S.C. 681 *et seq.*

Abstract: The SBA proposes to revise the regulations for the Small Business Investment Company (SBIC) program to further expand the use of Passive Businesses and provide needed protections for SBA with regard to such investments. SBICs are generally prohibited from investing in passive businesses under the Small Business Investment Act of 1958 as amended as well as by regulations. Current program regulations provided for two exceptions that allow an SBIC to structure an investment utilizing a passive small business as a pass-through. The first exception identified in 107.720(b)(2) provides that an SBIC may structure an investment utilizing two pass-through entities to make an investment into an active business . The second exception identified in 107.720(b)(3) allows partnership SBICs with SBA prior approval to invest in a wholly owned passive business that in turn provides financing to an active small business only if a direct financing would cause its investors to incur Unrelated Business Taxable Income (UBTI). The second exception is commonly known as a blocker corporation. The current rule creates unnecessary complications in defining two exceptions and does not provide SBA with sufficient protections. SBA proposes to simplify the rule to allow a more flexible two pass-through entity structure but provides SBA certain protections to offset risks associated with passive investment structures. As part of the proposed rule, SBA will also make technical corrections and clarifications.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Theresa M. Jamerson, Senior Policy Advisor, Investment Division, Small Business Administration, 409 3rd Street SW., Washington, DC 20461, *Phone:* 202 205–7563, *Email: theresa.jamerson@sba.gov.*

RIN: 3245–AG67

236. • Surety Bond Guarantee Program; Miscellaneous Amendments

Legal Authority: 15 U.S.C. 694b

Abstract: This rule proposes to change the regulations for SBA's Surety Bond Guarantee Program in four areas. First, as a condition for participating in the Prior Approval Program, the proposal would clarify that a Surety must directly employ an underwriting staff sufficient to oversee this function. Second, the proposed rule would require all Sureties to directly employ sufficient staff to perform all claims functions, and to vest final settlement authority for claims and recovery only in salaried employees of the Surety. Third, the proposal would provide that all costs incurred by the Surety's salaried claims staff are ineligible for reimbursement by SBA, but the Surety may seek reimbursement for amounts paid for specialized services that are provided by outside consultants in connection with the processing of a claim. Fourth, the rule proposes to modify the criteria for determining when a Principal that

caused a Loss to SBA is ineligible for a bond guaranteed by SBA.

Timetable:

Action	Date	FR Cite
NPRM	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Barbara J. Brannan, Management Analyst, Office of Surety Guarantees, Small Business Administration, Washington, DC 20416, *Phone:* 202 205–6545, *Email: barbara.brannan@sba.gov.*

RIN: 3245–AG70

237. • Credit for Lower Tier Subcontracting

Legal Authority: Pub. L. 113–66, sec. 1614

Abstract: The U.S. Small Business Administration (SBA or Agency) is amending its regulations to implement Section 1614 of the National Defense Authorization Act (NDAA) of 2014, Pub. L. 113–66, December 26, 2013. Under the statute, when an other than small prime contractor has an individual subcontracting plan for a contract, the large business may receive credit towards its small business subcontracting goals for subcontract awards made to small business concerns at any tier. Currently, other than small business prime contractors only report on their performance awarding subcontracts to small businesses at the first tier level.

Timetable:

Action	Date	FR Cite
NPRM	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kenneth Dodds, Director, Office of Government Contracting, Small Business Administration, 409 3rd Street SW., Washington, DC 20416, *Phone:* 202 619–1766, *Fax:* 202 481–2950, *Email: kenneth.dodds@sba.gov.*

RIN: 3245–AG71

238. • Women-Owned Small Business Federal Contract Program

Legal Authority: 15 U.S.C. 637(m); 15 U.S.C. 634(b)(6)

Abstract: Section 825 of the National Defense Authorization Act for Fiscal Year 2015 (NDAA), P. L. 113–291, 128 Stat. 3292, Dec. 19, 2014, included language granting contracting officers the authority to award sole source contracts to WOSBs and EDWOSBs. In order to implement this statutory change, SBA is proposing to amend 13 CFR part 127. SBA is proposing to amend Subpart E by incorporating the statutory language granting authority for sole source contracts. This new language would be in 127.504. If a contracting officer conducts market research in an industry where a WOSB or EDWOSB set aside is authorized, and the contracting officer cannot identify two or more WOSBs or EDWOSBs that can perform at a fair and reasonable price, but identifies one WOSB or EDWOSB that can perform at a fair and reasonable price, the contracting officer would be able to award the contract on a sole source basis, if the value of the contract, including options, does not exceed $6.5 million for manufacturing contracts and $4 million for all other contracts. Section 825 of the NDAA also accelerated a statutory deadline by two years for SBA to conduct a study to determine the industries where WOSBs and EDWOSBs are substantially underrepresented or underrepresented. SBA must complete the study by January, 2, 2016. SBA intends to amend the regulatory definition of underrepresentation and substantial underrepresentation to align the regulatory definition with the more general statutory language and to ensure the agency can conduct a study using relevant and reliable methodologies.

Timetable:

Action	Date	FR Cite
NPRM	05/01/15	80 FR 24846
NPRM Comment Period End.	06/30/15	
Final Rule	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kenneth Dodds, Director, Office of Government Contracting, Small Business Administration, 409 3rd Street SW., Washington, DC 20416, *Phone:* 202 619–1766, *Fax:* 202 481–2950, *Email: kenneth.dodds@sba.gov.*

RIN: 3245–AG72

239. • Affiliation for Business Loan Programs and Surety Bond Guarantee Program

Legal Authority: 15 U.S.C. 634(b)(6)

Abstract: This rule would simplify the consideration of affiliated individuals and groups of individuals, which may own minority stakes in multiple businesses. Existing regulation defines groups as being affiliated, and thereby having some form of control, which in most circumstances is not applicable to the borrowing entity. By redefining how these lesser-percentage owners are grouped together, and shifting certain certifications of facts to the borrower, more businesses could be identified as ''small'' and therefore be eligible for SBA financial assistance. SBA also plans to propose one modification to improve operations of its finance programs.

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Linda Rusche, Director, Office of Financial Assistance, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–6396, *Email: linda.rusche@sba.gov.*

RIN: 3245–AG73

SMALL BUSINESS ADMINISTRATION (SBA)

Final Rule Stage

240. Small Business Mentor-Protégé Programs

Legal Authority: Pub. L. 111–240; sec 1347;15 U.S.C. 657r

Abstract: SBA currently has a mentor-protege program for the 8(a) Business Development Program that is intended to enhance the capabilities of the protege and to improve its ability to successfully compete for Federal contracts. The Small Business Jobs Act authorized SBA to use this model to establish similar mentor-protege programs for the Service Disabled Veteran-Owned, HUBZone, and Women-Owned Small Federal Contract Business Programs and the National Defense Authorization Act for Fiscal Year 2013 authorized this for all small businesses. This authority is consistent with recommendations issued by an interagency task force created by President Obama on Federal Contracting Opportunities for Small Businesses. As is the case with the current mentor-protege program, the various forms of assistance that a mentor will be expected to provide to a protege include technical and/or management assistance; financial assistance in the form of equity investment and/or loans; subcontracts; and/or assistance in performing prime contracts with the Government in the form of joint venture arrangements.

Timetable:

Action	Date	FR Cite
NPRM	02/05/15	80 FR 6618

Action	Date	FR Cite
NPRM Comment Period End.	04/06/15	
NPRM Comment Period Extension.	04/07/15	80 FR 18556
NPRM Comment Period End.	05/06/15	
Final Rule	11/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brenda J. Fernandez, Procurement Analyst, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–7337, *Email: brenda.fernandez@sba.gov.*

RIN: 3245–AG24

241. Agent Revocation and Suspension Procedures

Legal Authority: 15 U.S.C. 634; 15 U.S.C. 642

Abstract: These changes to 13 CFR 103, 134, and 2 CFR 2700 lay out a procedural process for SBA's revocation of the privilege of agents to conduct business with the Agency. Included in this process are procedures for proposed revocation, the opportunity to object to the proposed revocation, the revocation decision, as well as requests for reconsideration. These procedures also provide for suspension of the privilege to conduct business with the Agency pending a revocation action. In addition, these changes remove Office of Hearings and Appeals review of suspension, revocation, and debarment actions by SBA.

Timetable:

Action	Date	FR Cite
NPRM	10/16/14	79 FR 62060
NPRM Comment Period Extended.	12/12/14	79 FR 73853
NPRM Comment Period End.	12/15/14	
Second NPRM Comment Period End.	02/14/15	
Final Rule	11/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Debra Mayer, Chief, Supervision and Enforcement, Office of Credit Risk Management, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–7577, *Email: debra.mayer@sba.gov.*

RIN: 3245–AG40

242. Small Business Size Standards: Employee Based Size Standards in Wholesale Trade and Retail Trade

Legal Authority: 15 U.S.C. 632(a)

Abstract: On May 19, 2014, the U.S. Small Business Administration (SBA) published a proposed rule to increase employee based size standards in 46 industries in North American Industry Classifcation System (NAICS) Sector 42, Wholesale Trade, and in one industry in Sector 44–45, Retail Trade. As a part of its comprehensive size standards review required by the Small Business Jobs Act of 2012, SBA reviewed all 71 industries in Sector 42 and two industries with employee based size standards in Sector 44–45 to determine whether their size standards should be retained or revised. The proposed revisions, if adopted, will primarily affect eligibility for SBA's financial assistance programs. This is one of the rules that will examine industries grouped by an NAICS Sector. SBA has applied its ''Size Standards Methodology,'' which is available on its Web site at *http://www.sba.gov/size,* to this purposed rule. SBA expects to publish the final rule in the near future.

NOTE: The title for this rule has been changed since the rule was first reported in the Regulatory Agenda on January 8, 2013, from ''Small Business Size Standards for Wholesale Trade'' to ''Small Business Size Standards: Employee Based Size Standards for Wholesale Trade and Retail Trade.'' The title was changed to make it clear that the rule also addresses industries with employee based size standards in Retail Trade.

Timetable:

Action	Date	FR Cite
NPRM	05/19/14	79 FR 28631
NPRM Comment Period End.	07/18/14	
Final Rule	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dr. Khem Raj Sharma, Chief, Office of Size Standards, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–7189, *Fax:* 202 205–6390, *Email: khem.sharma@sba.gov.*

RIN: 3245–AG49

243. Small Business Size Standards for Manufacturing

Legal Authority: 15 U.S.C. 632(a)

Abstract: On September 10, 2014, the U.S. Small Business Administration (SBA), published a proposed rule to increase employee based size standards for 209 industries in North American Industry Classification System (NAICS) Section 31–33, Manufacturing. SBA also proposed to increase the refining capacity component of the Petroleum Refiners (NAICS 324110) size standard to 200,000 barrels per calendar day total capacity for businesses that are primarily engaged in petroleum refining. The proposed rule also eliminated the requirement that 90 percent of a refiner's output being delivered should be refined by the bidder. As a part of its comprehensive size standards review required by the Small Business Jobs Act of 2010, SBA evaluated all 364 industries in NAICS Sector 31–33 to determine whether their size standards should be retained or revised. This is one of the rules that will examine industries grouped by an NAICS Sector. SBA has applied its ''Size Standards Methodology,'' which is available on its Web site at *http://www.sba.gov/size,* to this proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	09/10/14	79 FR 54146
NPRM Comment Period End.	11/10/14	
Final Rule	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dr. Khem Raj Sharma, Chief, Office of Size Standards, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–7189, *Fax:* 202 205–6390, *Email: khem.sharma@sba.gov.*

RIN: 3245–AG50

244. Small Business Size Standards: Industries With Employee-Based Size Standards Not Part of Manufacturing, Wholesale Trade, or Retail Trade

Legal Authority: 15 U.S.C. 632(a)

Abstract: On September 10, 2014, the U.S. Small Business Administration (SBA) published a proposed rule to increase to increase the employee-based size standards for 30 industries and three exceptions and decrease them for three industries that are not a part of NAICS Sector 31–33 (Manufacturing) Sector 42 (Wholesale Trade) and Sector 44–45 (Retail Trade). Additionally, SBA proposed to remove the Information Technology Value Added Resellers exception under NAICS 541519 (Other Computer Related Services) together with its 150-employee size standard. Similarly, SBA also proposed to eliminate the Offshore Marine Air Transportation Services exception under NAICS 481211 and 481212 and Offshore Marine Services exception under NAICS Subsector 483 and their $30.5 million receipts based size standard. As part of its comprehensive size standards review required by the Small Business Jobs Act of 2010 SBA evaluated 57 industries and five exceptions with employee based size

standards that are not in NAICS Sectors 31–33 42 or 4445. This is one of the rules that will examine industries grouped by an NAICS Sector. SBA has applied its Size Standards Methodology, which is available on its Web site at *http://www.sba.gov/size* to this proposed rule.

Please Note: The title for this rule has been changed since it was first announced in the Regulatory Agenda on January 8, 2013 to add the words or Retail Trade at the end of the previous title. This change makes it clear that industries in the retail trade with employee based size standards are also not addressed in the rule.

Timetable:

Action	Date	FR Cite
NPRM	09/10/14	79 FR 53646
NPRM Rule Correction.	10/20/14	79 FR 62576
NPRM Comment Period End.	11/10/14	
Final Rule	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dr. Khem Raj Sharma, Chief, Office of Size Standards, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–7189, *Fax:* 202 205–6390, *Email: khem.sharma@sba.gov.*

RIN: 3245–AG51

245. Small Business Government Contracting and National Defense Authorization Act of 2013 Amendments

Legal Authority: 15 U.S.C. 631; Pub. L. 112–239

Abstract: The rule would propose various small business related amendments authorized by various sections of the NDAA of 2013 with respect to the limitations on subcontracting and non-manufacturer rules that apply to set aside contracts. SBA would propose amendments concerning joint ventures, the applicability of the non-manufacturer rule to the purchase of software; recertification of size; affiliation in the context of Small Innovation Research program; the definition of a construction contract for purposes of an adverse impact analysis in connection with 8(a) Business Development program contract; Procurement Center Representative responsibilities; small business subcontracting assistance and reporting; Certificates of Competency; and penalties for violations of the subcontracting limitations and protection for small businesses that acted in good faith in connection with such limitations.

Timetable:

Action	Date	FR Cite
NPRM	12/29/14	79 FR 77955
NPRM Comment Period End.	02/27/15	
NPRM Comment Period Re-opened.	03/09/15	80 FR 12353
Second NPRM Comment Period End.	04/06/15	
Final Rule	11/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brenda J. Fernandez, Procurement Analyst, Small Business Administration, 409 Third Street SW., Washington, DC 20416, *Phone:* 202 205–7337, *Email: brenda.fernandez@sba.gov.*

RIN: 3245–AG58

246. Advisory Small Business Size Decisions

Legal Authority: 15 U.S.C. 645(d)(3)

Abstract: The purpose of the statute is to establish procedures for Small Business Development Centers (SBDCs) (SBA grantees) or Procurement Technical Assistance Centers (PTACs) (DOD grantees) to issue advisory size decisions. This rule provides guidance to SBDCs and PTACs regarding the minimum requirements that small business status advisory opinions must meet in order to be deemed adequate by SBA. The rule also requires the SBDC or PTAC issuing the advisory opinion to remit a copy of the opinion to SBA for review, and established a 10 day deadline by which SBA must either accept or reject the advisory opinion. If SBA rejects the advisory opinion, the Agency will notify the entity which issued the opinion and the firm to which it applies, after which time the firm is no longer entitled to rely upon the opinion or invoke the safe harbor provisions of the statute. If SBA accepts the advisory opinion, then the firm may rely on the SBDC or PTAC advisory opinion and is entitled to invoke the safe harbor provision as a defense to punishments imposed under 15 U.S.C. 645, Offenses and Penalties, which prescribes fines and imprisonment for false statements. The rule also makes clear that SBA has the authority to initiate a formal size determination of a firm that is the subject of a small business status advisory opinion where the Agency concludes that opinion contains information that calls into question the firm's small business status.

Timetable:

Action	Date	FR Cite
NPRM	06/25/14	79 FR 35963
NPRM Comment Period End.	08/25/14	
Final Rule	02/11/15	80 FR 7533
Final Rule Effective.	08/10/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brenda J. Fernandez, Procurement Analyst, Small Business Administration, 409 Third Street SW., Washington, DC 20416. *Phone:* 202 205–7337. *Email: brenda.fernandez@sba.gov.*

RIN: 3245–AG59

247. Small Business Size Standards; Inflation Adjustment to Monetary-Based Size Standards

Legal Authority: 15 U.S.C. 632(a)

Abstract: On June 12, 2014, SBA issued an interim final rule with request for comments to adjust its monetary small business size standards (*i.e.,* receipts, net income, net worth, and financial assets), for the effects of inflation that have occurred since the last inflation adjustment, which was effective August 19, 2008. The interim final rule aimed to restore small business eligibility to businesses that have lost their small business status due to inflation. The Small Business Jobs Act of 2010 (Jobs Act) requires SBA to review and adjust (as necessary) all size standards within five years of its enactment. SBA's Small Business Size Regulations at 13 CFR 121.102(c) require the same quinquennial (or less) review and adjustment. The rule did not increase the $750,000 size standard for agricultural enterprises, which is established by the Small Business Act (§ 3(a)(1)). The alternate size standard used in the 7(a) and 504 business loan programs is unaffected by this adjustment.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/12/14	79 FR 33647
Interim Final Rule Effective.	07/14/14	
Interim Final Rule Comment Period End.	08/11/14	
Final Rule	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dr. Khem Raj Sharma, Chief, Office of Size Standards, Small Business Administration, 409 Third Street SW., Washington, DC 20416. *Phone:* 202 205–7189. *Fax:* 202 205–6390. *Email: khem.sharma@sba.gov.*

RIN: 3245–AG60

[FR Doc. 2015–14371 Filed 6–17–15; 8:45 am]

BILLING CODE 8025–01–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XVIII

Department of Defense

General Services Administration

National Aeronautics and Space Administration

Unified Agenda

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Ch. 1

Semiannual Regulatory Agenda

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda provides summary descriptions of regulations being developed by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council in compliance with Executive Order 12866 ''Regulatory Planning and Review.'' This agenda is being published to allow interested persons an opportunity to participate in the rulemaking process.

The Regulatory Secretariat Division has attempted to list all regulations pending at the time of publication, except for minor and routine or repetitive actions; however, unanticipated requirements may result in the issuance of regulations that are not included in this agenda. There is no legal significance to the omission of an item from this listing.

Published proposed rules may be reviewed in their entirety at the Government's rulemaking Web site at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Hada Flowers, Division Director, Regulatory Secretariat Division, 1800 F Street NW., Washington, DC 20405, or via telephone at 202–501–4755.

SUPPLEMENTARY INFORMATION: DoD, GSA, and NASA, under their several statutory authorities, jointly issue and maintain the FAR through periodic issuance of changes published in the **Federal Register** and produced electronically as Federal Acquisition Circulars (FACs). The electronic version of the FAR, including changes, can be accessed on the FAR Web site at *http://www.acquisition.gov/far.*

Dated: March 30, 2015.

William Clark,

Director, Office of Government-wide Acquisition Policy, Office of Acquisition Policy, Office of Government-wide Policy.

DOD/GSA/NASA (FAR)—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
248	Federal Acquisition Regulation (FAR); FAR Case 2014–025; Fair Pay and Safe Workplaces	9000–AM81
249	Federal Acquisition Regulation (FAR); FAR Case 2014–026; High Global Warming Potential Hydrofluorocarbons.	9000–AM87
250	Federal Acquisition Regulation (FAR); FAR Case 2014–003; Small Business Subcontracting Improvements.	9000–AM91
251	Federal Acquisition Regulation (FAR); FAR Case 2014–015; Consolidation of Contract Requirements and Bundling.	9000–AM92

DOD/GSA/NASA (FAR)—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
252	Federal Acquisition Regulation (FAR); FAR Case 2011–001; Organizational Conflicts of Interest and Unequal Access to Information.	9000–AL82
253	Federal Acquisition Regulation (FAR); FAR Case 2010–013; Privacy Training	9000–AM02
254	Federal Acquisition Regulation (FAR); FAR Case 2011–020; Basic Safeguarding of Contractor Information Systems.	9000–AM19
255	Federal Acquisition Regulation (FAR); FAR Case 2013–015; Pilot Program for Enhancement of Contractor Employee Whistleblower Protections.	9000–AM56
256	Federal Acquisition Regulation (FAR); FAR Case 2012–022; Contracts Under the Small Business Administration 8(a) Program.	9000–AM68
257	Federal Acquisition Regulation (FAR); FAR Case 2013–016; EPEAT Items	9000–AM71
258	Federal Acquisition Regulation (FAR); FAR Case 2013–020; Information on Corporate Contractor Performance and Integrity.	9000–AM74
259	Federal Acquisition Regulation (FAR); FAR Case 2014–012; Limitation on Allowable Government Contractor Compensation Costs.	9000–AM75
260	Federal Acquisition Regulation (FAR); FAR Case 2014–022; Inflation Adjustment of Acquisition—Related Thresholds.	9000–AM80
261	Federal Acquisition Regulation (FAR); FAR Case 2015–003; Establishing a Minimum Wage for Contractors.	9000–AM82
262	Federal Acquisition Regulation (FAR); FAR Case 2014–020; Clarification on Justification for Urgent Noncompetitive Awards Exceeding One Year.	9000–AM86
263	Federal Acquisition Regulation (FAR); FAR Case 2015–014; Prohibition on Providing Funds to the Enemy	9000–AN03
264	Federal Acquisition Regulation (FAR); FAR Case 2015–012; Contractor Employee Internal Confidentiality Agreements.	9000–AN04
265	Federal Acquisition Regulation (FAR); FAR Case 2015–011; Prohibition on Contracting With Corporations With Delinquent Taxes or a Felony Conviction.	9000–AN05

DOD/GSA/NASA (FAR)—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
266	Federal Acquisition Regulation (FAR); FAR Case 2009–009; American Recovery and Reinvestment Act of 2009 (the Recovery Act)—Reporting Requirements.	9000–AL21
267	Federal Acquisition Regulation (FAR); FAR Case 2010–008; Recovery Act Subcontract Reporting Procedures.	9000–AL63
268	Federal Acquisition Regulation (FAR); FAR Case 2013–001; Ending Trafficking in Persons	9000–AM55
269	Federal Acquisition Regulation (FAR); FAR Case 2012–032; Higher-Level Contract Quality Requirements	9000–AM65
270	Federal Acquisition Regulation (FAR); FAR Case 2014–006; Year Format	9000–AM72
271	Federal Acquisition Regulation (FAR); FAR Case 2014–001; Incorporating Section K in Contracts	9000–AM78

DEPARTMENT OF DEFENSE/ GENERAL SERVICES ADMINISTRATION/NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)

Proposed Rule Stage

248. Federal Acquisition Regulation (FAR); FAR Case 2014–025; Fair Pay and Safe Workplaces

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA are issuing a proposed rule amending the Federal Acquisition Regulation which implements Executive Order 13673, Fair Pay and Safe Workplaces, seeks to increase efficiency in the work performed by Federal contractors by ensuring that they understand and comply with labor laws designed to promote safe, healthy, fair and effective workplaces.

Timetable:

Action	Date	FR Cite
NPRM	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Edward Loeb, Program Manager, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501–0650, *Email: edward.loeb@gsa.gov*

RIN: 9000–AM81

249. • Federal Acquisition Regulation (FAR); FAR Case 2014–026; High Global Warming Potential Hydrofluorocarbons

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation (FAR) to implement Executive Branch policy in the President's Climate Action Plan to procure, when feasible, alternatives to high global warming potential (GWP) hydrofluorocarbons (HFCs). This will allow agencies to better meet the greenhouse gas emission reduction goals and reporting requirements of the Executive Order 13693 of March 25, 2015, Planning for Sustainability in the Next Decade. Executive Order 13693 subsumes both Executive Order 13423 of January 24, 2007, Strengthening Federal Environmental, Energy, and Transportation Management as well as Executive Order 13514 of October 5, 2009, Federal Leadership in Environmental, Energy, and Economic Performance.

Timetable:

Action	Date	FR Cite
NPRM	05/11/15	80 FR 26883
NPRM Comment Period End.	07/10/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Charles Gray, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405 *Phone:* 202 208–6726.

RIN: 9000–AM87

250. • Federal Acquisition Regulation (FAR); FAR Case 2014–003; Small Business Subcontracting Improvements

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation (FAR) to implement regulatory changes made by the Small Business Administration (SBA) in its final rule, concerning small business subcontracting. Among other things, SBA's final rule implements the statutory requirements set forth at sections 1321 and 1322 of the Small Business Jobs Act of 2010. This case is included in the FAR retrospective review of existing regulations under Executive Order 13563. Additional information is located in the FAR final plan (2015), available at: *https://www.acquisition.gov/.*

Timetable:

Action	Date	FR Cite
NPRM	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Mahruba Uddowla, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 703 605–2868, *Email: mahruba.uddowla@gsa.gov.*

RIN: 9000–AM91

251. • Federal Acquisition Regulation (FAR); FAR Case 2014–015; Consolidation of Contract Requirements and Bundling

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation (FAR) to implement section 1313 of the Small Business Jobs Act of 2010 and Small Business Administration's final rule to ensure that decisions made by Federal agencies regarding consolidation of contract requirements are made with a view to providing small businesses with appropriate opportunities to participate as prime and subcontractors. This case is included in the FAR retrospective review of existing regulations under Executive Order 13563. Additional information is located in the FAR final plan (2015), available at: *https://www.acquisition.gov/.*

Timetable:

Action	Date	FR Cite
NPRM	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Mahruba Uddowla, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 703 605–2868, *Email: mahruba.uddowla@gsa.gov*

RIN: 9000–AM92

DEPARTMENT OF DEFENSE/ GENERAL SERVICES ADMINISTRATION/NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)

Final Rule Stage

252. Federal Acquisition Rregulation (FAR); FAR Case 2011–001; Organizational Conflicts of Interest and Unequal Access to Information

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA are amending the Federal Acquisition Regulation (FAR) to provide revised regulatory coverage on organizational conflicts of interest (OCIs), and add related provisions and clauses. Coverage on contractor access to protected information has been moved to a new proposed rule, FAR Case 2012–029 now FAR Case 2014–021. Section 841 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110–417) required a review of the FAR coverage on OCIs. The proposed rule was developed as a result of a review conducted in accordance with section 841 by the Civilian Agency Acquisition Council, the Defense Acquisition Regulations Council, and the Office of Federal Procurement Policy, in consultation with the Office of Government Ethics. The proposed rule was preceded by an Advance Notice of Proposed Rulemaking, under FAR Case 2007–018 (73 FR 15962), to gather comments from the public with regard to whether and how to improve the FAR coverage on OCIs. This case is included in the FAR retrospective review of existing regulations under Executive Order 13563. Additional information is located in the FAR final plan (2015), available at: *https://www.acquisition.gov/.*

Timetable:

Action	Date	FR Cite
NPRM	04/26/11	76 FR 23236
NPRM Comment Period End.	06/27/11	
NPRM Comment Period Extended.	06/29/11	76 FR 38089
NPRM Comment Period Extended End.	07/27/11	
Final Rule	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cecelia L. Davis, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 219–0202, *Email: cecelia.davis@gsa.gov.*

RIN: 9000–AL82

253. Federal Acquisition Regulation (FAR); FAR Case 2010–013; Privacy Training

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation (FAR) to ensure that all contractors are required to complete training in the protection of privacy and the handling and safeguarding of Personally Identifiable Information (PII). The proposed FAR language provides flexibility for agencies to conduct the privacy training or require the contractor to conduct the privacy training. This case is included in the FAR retrospective review of existing regulations under Executive Order 13563. Additional information is located in the FAR final plan (2015), available at: *https://www.acquisition.gov/.*

Timetable:

Action	Date	FR Cite
NPRM	10/14/11	76 FR 63896
NPRM Comment Period End.	12/13/11	
Final Rule	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Charles Gray, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 208–6726.

RIN: 9000–AM02

254. Federal Acquisition Regulation (FAR); FAR Case 2011–020; Basic Safeguarding of Contractor Information Systems

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA are amending the Federal Acquisition Regulation (FAR) to add a new subpart and contract clause for the safeguarding of contractor information systems that contain information provided by the Government (other than public information) or generated for the Government that will be resident on or transiting through contractor information systems. This case is included in the FAR retrospective review of existing regulations under Executive Order 13563. Additional information is located in the FAR final plan (2015), available at: *https://www.acquisition.gov/.*

Timetable:

Action	Date	FR Cite
NPRM	07/26/12	77 FR 51496
NPRM Comment Period End.	10/23/12	
Final Rule	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cecelia L. Davis, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 219–0202, *Email: cecelia.davis@gsa.gov.*

RIN: 9000–AM19

255. Federal Acquisition Regulation (FAR); FAR Case 2013–015; Pilot Program for Enhancement of Contractor Employee Whistleblower Protections

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA are amending the Federal Acquisition Regulation to implement a statutory pilot program whistleblower protections for enhancement of contractor employee.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/30/13	78 FR 60169
Interim Final Rule Comment Period End.	11/29/13	
Final Rule	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cecelia L. Davis, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 219–0202, *Email: cecelia.davis@gsa.gov.*

RIN: 9000–AM56

256. Federal Acquisition Regulation (FAR); FAR Case 2012–022; Contracts Under the Small Business Administration 8(a) Program

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA issued a proposed rule to amend the Federal Acquisition Regulation (FAR) to implement revisions made by the Small Business Administration to its regulations implementing section 8(a) of the Small Business Act, and to provide additional FAR coverage regarding protesting an 8(a) participant's eligibility or size status, procedures for releasing a requirement for non-8(a) procurements, and the ways a participant could exit the 8(a) Business Development program.

Timetable:

Action	Date	FR Cite
NPRM	02/03/14	79 FR 6135
NPRM Comment Period End.	04/14/14	

Action	Date	FR Cite
Final Rule	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Mahruba Uddowla, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 703 605–2868, *Email: mahruba.uddowla@gsa.gov*.

RIN: 9000–AM68

257. Federal Acquisition Regulation (FAR); FAR Case 2013–016; EPEAT Items

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA issued an interim rule amending the Federal Acquisition Regulation to implement changes in the Electronic Product Environmental Assessment Tool (EPEAT®) registry.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/24/14	79 FR 35859
Interim Final Rule Comment Period End.	08/25/14	
Final Rule	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Charles Gray, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 208–6726.

RIN: 9000–AM71

258. Federal Acquisition Regulation (FAR); FAR Case 2013–020; Information on Corporate Contractor Performance and Integrity

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA are amending the Federal Acquisition Regulation to implement a section of the National Defense Authorization Act for Fiscal Year 2013 to include in the Federal Awardee Performance and Integrity Information System, to the extent practicable, identification of any immediate owner or subsidiary, and all predecessors of an offeror that held a Federal contract or grant within the last three years. The objective is to provide a more comprehensive understanding of the performance and integrity of the corporation in awarding Federal contracts.

Timetable:

Action	Date	FR Cite
NPRM	12/04/14	79 FR 71975
NPRM Comment Period End.	02/02/15	
Final Rule	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cecelia L. Davis, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 219–0202, *Email: cecelia.davis@gsa.gov*.

RIN: 9000–AM74

259. Federal Acquisition Regulation (FAR); FAR Case 2014–012; Limitation on Allowable Government Contractor Compensation Costs

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA and NASA issued an interim rule amending the Federal Acquisition Regulation to implement section 702 of the Bipartisan Budget Act of 2013. In accordance with section 702, the interim rule revises the allowable cost limit relative to the compensation of contractor and subcontractor employees. Also, in accordance with section 702, this interim rule implements the possible exception to this allowable cost limit for narrowly targeted scientists, engineers, or other specialists upon an agency determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/24/14	79 FR 35865
Interim Final Rule Comment Period End.	08/25/14	
Final Rule	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kathy Hopkins, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 969–7226, *Email: kathlyn.hopkins@gsa.gov*.

RIN: 9000–AM75

260. Federal Acquisition Regulation (FAR); FAR Case 2014–022; Inflation Adjustment of Acquisition-Related Thresholds

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA are issuing a final rule to amend the Federal Acquisition Regulation (FAR) to further implement 41 U.S.C. 1908, Inflation adjustment of acquisition-related dollar thresholds. This statute requires an adjustment every five years of acquisition-related thresholds for inflation using the Consumer Price Index for all urban consumers, except for the Construction Wage Rate Requirements statute (Davis-Bacon Act), Service Contract Labor Standards statute, and trade agreements thresholds. DoD, GSA, and NASA are also proposing to use the same methodology to adjust nonstatutory FAR acquisition-related thresholds in 2015.

Timetable:

Action	Date	FR Cite
NPRM	11/25/14	79 FR 70141
NPRM Comment Period End.	01/26/15	
Final Rule	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Michael O. Jackson, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 208–4949, *Email: michaelo.jackson@gsa.gov*.

RIN: 9000–AM80

261. Federal Acquisition Regulation (FAR); FAR Case 2015–003; Establishing a Minimum Wage for Contractors

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA are issuing a final rule amending the Federal Acquisition Regulation (FAR) to implement Executive Order 13658, Establishing a Minimum Wage for Contractors, and a final rule issued by the Department of Labor (DOL) at 29 CFR part 10. This case is included in the FAR retrospective review of existing regulations under Executive Order 13563. Additional information is located in the FAR final plan (2015), available at: *https://www.acquisition.gov/*.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/15/14	79 FR 74544
Interim Final Rule Comment Period End.	02/13/15	
Final Rule	07/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Edward Loeb, Program Manager, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501–0650, *Email: edward.loeb@gsa.gov*.

RIN: 9000–AM82

262. • Federal Acquisition Regulation (FAR); FAR Case 2014–020; Clarification on Justification for Urgent Noncompetitive Awards Exceeding One Year

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation to clarify that a determination of exceptional circumstances is needed when a noncompetitive contract awarded on the basis of unusual and compelling urgency exceeds one year, either at time of award or due to post-award modifications.

Timetable:

Action	Date	FR Cite
NPRM	12/30/14	79 FR 78378
NPRM Comment Period End.	03/02/15	
Final Rule	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Michael O. Jackson, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 208–4949, *Email: michaelo.jackson@gsa.gov*.

RIN: 9000–AM86

263. • Federal Acquisition Regulation (FAR); FAR Case 2015–014; Prohibition on Providing Funds to the Enemy

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: This interim rule amends the Federal Acquisition Regulation to implement sections 841, 842 and 843 of the National Defense Authorization Act for Fiscal Year 2015 (Pub. L. 113–291). Section 841 prohibits providing funds to the enemy. Section 842 provides additional access to records. Section 843 provides definitions.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cecelia L. Davis, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 219–0202, *Email: cecelia.davis@gsa.gov*.

RIN: 9000–AN03

264. • Federal Acquisition Regulation (FAR); FAR Case 2015–012; Contractor Employee Internal Confidentiality Agreements

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: This interim rule revises the Federal Acquisition Regulation to implement section 743 of Division E, title VII, of the Consolidated and Further Continuing Appropriations Act of 2015 (Pub. L. 113–235) and successor provisions in subsequent appropriations acts (and as extended in continuing resolutions). Section 743 prohibits the use of funds appropriated or otherwise made available by Division E or any other Act for a contract, grant, or cooperative agreement with an entity that requires employees or subcontractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or subcontractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cecelia L. Davis, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 219–0202, *Email: cecelia.davis@gsa.gov*.

RIN: 9000–AN04

265. • Federal Acquisition Regulation (FAR); FAR Case 2015–011; Prohibition on Contracting With Corporations With Delinquent Taxes or a Felony Conviction

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: This interim rule amends the Federal Acquisition Regulation to implement sections of the Consolidated and Further Continuing Appropriations Act of 2015, to prohibit the Federal Government from entering into a contract with any corporation having a delinquent Federal tax liability or a felony conviction under any Federal law, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cecelia L. Davis, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 219–0202, *Email: cecelia.davis@gsa.gov*.

RIN: 9000–AN05

DEPARTMENT OF DEFENSE/ GENERAL SERVICES ADMINISTRATION/NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)

Completed Actions

266. Federal Acquisition Regulation (FAR); FAR Case 2009–009; American Recovery and Reinvestment Act of 2009 (The Recovery Act)—Reporting Requirements

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 42 U.S.C. 2473(c)

Abstract: Section 627 of Division E of the Consolidated Appropriations Act, 2014 (Pub. L. 113–76), repealed the contractor reporting requirements that were in section 1512(c) of Division A of the American Recovery and Reinvestment Act of 2009 (Recovery Act) (Pub. L. 111–5). Due to the repeal of the Recovery Act reporting requirements, FAR Case 2009–009 was incorporated into FAR Case 2014–016.

Completed:

Action	Date	FR Cite
Withdrawn	03/25/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Curtis Glover, *Phone:* 202 501–1448, *Email: curtis.glover@gsa.gov*.

RIN: 9000–AL21

267. Federal Acquisition Regulation (FAR); FAR Case 2010–008; Recovery Act Subcontract Reporting Procedures

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 42 U.S.C. 2473(c)

Abstract: Section 627 of Division E of the Consolidated Appropriations Act, 2014 (Pub. L. 113–76), repealed the contractor reporting requirements that were in section 1512(c) of Division A of the American Recovery and Reinvestment Act of 2009 (Recovery Act) (Pub. L. 111–5). Due to the repeal of the Recovery Act reporting requirements, FAR Case 2010–008 was incorporated into FAR Case 2014–016.

Completed:

Action	Date	FR Cite
Withdrawn	03/25/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Curtis Glover, *Phone:* 202 501–1448, *Email: curtis.glover@gsa.gov*.

RIN: 9000–AL63

268. Federal Acquisition Regulation (FAR); FAR Case 2013–001; Ending Trafficking in Persons

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA issued a final rule amending the Federal Acquisition Regulation (FAR) to strengthen protections against trafficking in persons in Federal contracts. These changes are intended to implement Executive Order 13627, entitled ''Strengthening Protections Against Trafficking in Persons in Federal Contracts,'' and title XVII of the National Defense Authorization Act for Fiscal Year 2013. This case is included in the FAR retrospective review of existing regulations under Executive Order 13563. Additional information is located in the FAR final plan (2015), available at: *https://www.acquisition.gov/.*

Completed:

Action	Date	FR Cite
Final Rule	01/29/15	80 FR 4967
Final Rule Effective.	03/02/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cecelia L. Davis, *Phone:* 202 219–0202, *Email: cecelia.davis@gsa.gov.*

RIN: 9000–AM55

269. Federal Acquisition Regulation (FAR); FAR Case 2012–032; Higher-Level Contract Quality Requirements

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA issued a final rule amending the Federal Acquisition Regulation to clarify when to use higher-level quality standards in solicitations and contracts. The rule also updates the examples of higher-level quality standards by removing obsolete standards and adding new industry standards that pertain to quality assurance for avoidance of counterfeit items.

Completed:

Action	Date	FR Cite
Final Rule	12/26/14	79 FR 70344
Final Rule Effective.	12/26/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Edward Loeb, *Phone:* 202 501–0650, *Email: edward.loeb@gsa.gov.*

RIN: 9000–AM65

270. Federal Acquisition Regulation (FAR); FAR Case 2014–006; Year Format

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA issued a final rule to amend the Federal Acquisition Regulation (FAR) to delete regulations relating to the year 2000 compliance. This case is included in the FAR retrospective review of existing regulations under Executive Order 13563. Additional information is located in the FAR final plan (2015), available at: *https://www.acquisition.gov/.*

Completed:

Action	Date	FR Cite
Final Rule	12/26/14	79 FR 70343
Final Rule Effective.	12/26/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Edward Loeb, *Phone:* 202 501–0650, *Email: edward.loeb@gsa.gov.*

RIN: 9000–AM72

271. Federal Acquisition Regulation (FAR); FAR Case 2014–001; Incorporating Section K in Contracts

Legal Authority: 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

Abstract: DoD, GSA, and NASA issued a proposed rule to amend the Federal Acquisition Regulation to standardize the incorporation by reference of representations and certifications in contracts.

Completed:

Action	Date	FR Cite
Final Rule	12/26/14	79 FR 70341
Final Rule Effective.	12/26/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Curtis Glover, *Phone:* 202 501–1448, *Email: curtis.glover@gsa.gov.*

RIN: 9000–AM78

[FR Doc. 2015–14372 Filed 6–17–15; 8:45 am]

BILLING CODE 6820–EP–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XIX

Consumer Financial Protection Bureau

Unified Agenda

BUREAU OF CONSUMER FINANCIAL PROTECTION

12 CFR CH. X

Semiannual Regulatory Agenda

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Bureau of Consumer Financial Protection (CFPB or Bureau) is publishing this agenda as part of the Spring 2015 Unified Agenda of Federal Regulatory and Deregulatory Actions. The CFPB reasonably anticipates having the regulatory matters identified below under consideration during the period from May 1, 2015 to April 30, 2016. The next agenda will be published in fall 2015 and will update this agenda through fall 2016. Publication of this agenda is in accordance with the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

DATES: This information is current as of May 5, 2015.

ADDRESSES: Bureau of Consumer Financial Protection, 1700 G Street NW., Washington, DC 20552.

FOR FURTHER INFORMATION CONTACT: A staff contact is included for each regulatory item listed herein.

SUPPLEMENTARY INFORMATION: The CFPB is publishing its spring 2015 agenda as part of the Spring 2015 Unified Agenda of Federal Regulatory and Deregulatory Actions, which is coordinated by the Office of Management and Budget under Executive Order 12866. The CFPB's participation in the Unified Agenda is voluntary. The complete Unified Agenda is available to the public at the following Web site: *http://www.reginfo.gov.*

Pursuant to the Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111–203, 124 Stat. 1376 (Dodd-Frank Act), the CFPB has rulemaking, supervisory, enforcement, and other authorities relating to consumer financial products and services. These authorities include the ability to issue regulations under more than a dozen Federal consumer financial laws, which transferred to the CFPB from seven Federal agencies on July 21, 2011. The CFPB is working on a wide range of initiatives to address issues in markets for consumer financial products and services that are not reflected in this notice because the Unified Agenda is limited to rulemaking activities.

The CFPB reasonably anticipates having the regulatory matters identified below under consideration during the period from May 1, 2015 to April 30, 2016.[1] Among the Bureau's more significant regulatory efforts are the following.

Implementing Dodd-Frank Act Mortgage Protections

A major rulemaking priority for the Bureau continues to be the implementation of provisions of the Dodd-Frank Act addressing practices and information concerning the nation's mortgage markets. The Bureau has already issued regulations implementing Dodd-Frank Act protections for mortgage originations and servicing, and integrating various Federal mortgage disclosures as discussed further below. The Bureau is also working to implement Dodd-Frank amendments to the Home Mortgage Disclosure Act (HMDA), which augment existing data reporting requirements regarding housing-related loans and applications for such loans. In addition to obtaining data that is critical to the purposes of HMDA—which include providing the public and public officials with information that can be used to help determine whether financial institutions are serving the housing needs of their communities, assisting public officials in the distribution of public sector investments, and assisting in identifying possible discriminatory lending patterns and enforcing antidiscrimination statutes—the Bureau views this rulemaking as an opportunity to streamline and modernize HMDA data collection and reporting in furtherance of its mission under the Dodd-Frank Act to reduce unwarranted regulatory burden. The Bureau published a proposed HMDA rule in the **Federal Register** on August 29, 2014, to add several new reporting requirements and to clarify several existing requirements. Publication of the proposal followed initial outreach efforts and the convening of a panel under the Small Business Regulatory Enforcement Fairness Act in conjunction with the Office of Management and Budget and the Small Business Administration's Chief Counsel for Advocacy to consult with small lenders who may be affected by the rulemaking. The Bureau expects to issue a final rule in the summer of 2015 and is continuing to coordinate with other agencies and prepare for support of implementation efforts.

The Bureau is also working to support implementation of its final rule combining several Federal mortgage disclosures that consumers receive in connection with applying for and closing on a mortgage loan under the Truth in Lending Act (TILA) and the Real Estate Settlement Procedures Act (RESPA). The project to integrate and streamline the disclosures was mandated under the Dodd-Frank Act, and is intended to increase consumer understanding of mortgage transactions and facilitate compliance by industry. The integrated forms are the cornerstone of the Bureau's broader ''Know Before You Owe'' initiative. The rule was issued in November 2013, and takes effect in August 2015. The Bureau is working intensively to support implementation efforts and prepare consumer education materials and initiatives to help consumers understand and use the new forms. In addition, the Bureau published in the **Federal Register** on October 29, 2014, a small proposed rule to make technical corrections, allow for certain language on the Loan Estimate form related to construction loans for transactions involving new construction, and extend the timing requirement for revised disclosures when consumers lock a rate or extend a rate lock after the Loan Estimate is provided. The Bureau published a final rule in the **Federal Register** on February 19, 2015, that adopted the proposed amendment.

The Bureau is also working to support the full implementation of, and facilitate compliance with, various mortgage-related final rules issued by the Bureau in January 2013, to strengthen consumer protections involving the origination and servicing of mortgages. These rules, implementing requirements under the Dodd-Frank Act, were all effective by January 2014. The Bureau is working diligently to monitor the market and plans to make clarifications and adjustments to the rules where warranted. The Bureau issued rules in fall 2014 to provide certain adjustments to its rules for certain nonprofit entities and to provide a cure mechanism for lenders seeking to make ''qualified mortgages'' under rules requiring assessment of consumers' ability to repay their mortgage loans where the mortgages exceed certain limitations on points and fees. The Bureau also published a proposal in the **Federal Register** on December 15, 2014, to amend various provisions of its mortgage servicing rules, in both Regulation X and Regulation Z, including proposed applicability of certain provisions when the borrower is in bankruptcy, possible additional enhancements to loss mitigation

[1] The listing does not include certain routine, frequent, or administrative matters. Further, certain of the information fields for the listing are not applicable to independent regulatory agencies, including the CFPB, and, accordingly, the CFPB has indicated responses of ''no'' for such fields.

requirements, proposed applicability of certain provisions to successors in interest, and other topics. As the Bureau develops a final rule, it expects to review and consider public comments on the proposed rule, consult with other agencies, conduct consumer testing of certain disclosures, and prepare to support implementation and consumer education efforts. In addition, in order to promote access to credit, the Bureau is also currently engaged in further rulemaking with regard to certain provisions implemented under the Dodd-Frank Act that modify general requirements for small creditors, including those small creditors that operate predominantly in ''rural or underserved'' areas, and published a notice of proposed rulemaking in the **Federal Register** on February 11, 2015.

Bureau Regulatory Efforts in Other Consumer Markets

The Bureau continues to work on and consider a number of rulemakings to address important consumer protection issues in other markets for consumer financial products and services.

First, in December 2014, the Bureau published in the **Federal Register** a proposed rule to create a comprehensive set of consumer protections for prepaid financial products, such as general purpose reloadable prepaid cards and other similar products, which are increasingly being used by consumers in place of traditional checking accounts or credit cards. The proposed rule would expressly bring prepaid products within the ambit of Regulation E (which implements the Electronic Fund Transfer Act) as prepaid accounts and create new provisions specific to such accounts. The proposal would modify Regulation E to establish disclosure requirements specific to prepaid accounts, would provide for an alternative to Regulation E's periodic statement requirement, and would apply Regulation E's limited liability and error resolution provisions to prepaid accounts, with certain modifications, among other things. The proposal would also contain amendments to Regulation E and Regulation Z (which implements the Truth in lending Act) to regulate prepaid accounts with overdraft services or credit features. Among other things, prepaid cards that access overdraft services or credit features for a fee would generally be credit cards subject to Regulation Z and its credit card rules. The CFPB anticipates issuing a final rule in early 2016.

The Bureau is also considering rules to address consumer harms from practices related to payday loans and other similar credit products, including failure to determine whether consumers have the ability to repay without default or reborrowing and certain payment collection practices. This initiative builds on Bureau research, including a white paper the Bureau published on these products in April 2013, a data point providing additional research in March 2014, and ongoing analysis. The Bureau expects in spring 2015, to release an outline of proposals under consideration and to convene a panel under the Small Business Regulatory Enforcement Fairness Act in conjunction with the Office of Management and Budget and the Small Business Administration's Chief Counsel for Advocacy to consult with small lenders who may be affected by the rulemaking. The Bureau expects to issue a Notice of Proposed Rulemaking later in 2015 after additional outreach and analysis.

Building on Bureau research and other sources, the Bureau is also considering whether rules with regard to overdraft programs on checking accounts may be appropriate, and, if so, what types of rules would be appropriate. The CFPB issued a white paper in June 2013, and a report in July 2014, based on supervisory data from several large banks that highlighted a number of possible consumer protection concerns, including how consumers opt in to overdraft coverage for ATM and one-time debit card transactions, overdraft coverage limits, transaction posting order, overdraft and insufficient funds fee structure, and involuntary account closures. The CFPB is continuing to engage in additional research. A possible rulemaking might include disclosures or address specific acts or practices.

The Bureau is also engaged in research initiatives in preparation for a rulemaking on debt collection activities, which are the single largest source of complaints to the Federal government of any industry. Building on the Bureau's November 2013, Advance Notice of Proposed Rulemaking, the CFPB is conducting a survey to obtain information from consumers about their experiences with debt collection. The Bureau is also undertaking consumer testing initiatives to determine what information would be useful for consumers to have about debt collection and their debts and how that information should be provided to them.

The Bureau is also continuing to develop research on other critical consumer protection markets to help assess whether regulation may be warranted. For example, the Bureau issued a report to Congress in March 2015, as required by the Dodd-Frank Wall Street Reform and Consumer Protection Act, concerning the use of agreements providing for arbitration of any future dispute between covered persons and consumers in connection with the offer or providing of consumer financial products or services. The report expanded on preliminary results of arbitration research that had been released by the Bureau in December 2013. Following release of the report, the CFPB is considering whether rules governing pre-dispute arbitration agreements are warranted, and, if so, what types of rules would be appropriate.

The Bureau is also continuing rulemaking activities that will further establish the Bureau's nonbank supervisory authority by defining larger participants of certain markets for consumer financial products and services. Larger participants of such markets, as the Bureau defines by rule, are subject to the Bureau's supervisory authority. On October 8, 2014, the Bureau published in the **Federal Register** a proposed rule that would define larger participants of a market for automobile financing and define certain automobile leasing activity as a financial product or service. The Bureau expects to issue a final rule in this area during the summer of 2015.

Bureau Regulatory Streamlining Efforts

The Bureau is continuing work to consider opportunities to modernize and streamline regulations that it inherited from other agencies pursuant to a transfer of rulemaking authority under the Dodd-Frank Act. This work includes implementing the consolidation and streamlining of Federal mortgage disclosure forms discussed earlier, and exploring opportunities to reduce unwarranted regulatory burden as part of the HMDA rulemaking.

Finally, the Bureau is continuing to assess timelines for other rulemakings mandated by the Dodd-Frank Act or inherited from other agencies and to conduct outreach and research to assess issues in various other markets for consumer financial products and services. As this work continues, the Bureau will evaluate possible policy responses, including possible rulemaking actions, taking into account the critical need for and effectiveness of various policy tools. The Bureau will update its regulatory agenda in fall 2015, to reflect the results of this further prioritization and planning.

Dated: May 5, 2015.

Meredith Fuchs,

General Counsel, Bureau of Consumer Financial Protection.

CONSUMER FINANCIAL PROTECTION BUREAU—PRERULE STAGE

Sequence No.	Title	Regulation Identifier No.
272	Payday Loans and Deposit Advance Products	3170–AA40

CONSUMER FINANCIAL PROTECTION BUREAU—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
273	Home Mortgage Disclosure Act (Regulation C)	3170–AA10
274	The Expedited Funds Availability Act (Regulation CC)	3170–AA31

CONSUMER FINANCIAL PROTECTION BUREAU—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
275	Business Lending Data (Regulation B)	3170–AA09

CONSUMER FINANCIAL PROTECTION BUREAU (CFPB)

Prerule Stage

272. Payday Loans and Deposit Advance Products

Legal Authority: Not Yet Determined

Abstract: The Bureau is considering rules to address consumer harms from practices related to payday loans and other similar credit products, including failure to determine whether consumers has the ability to repay without default or re-borrowing and certain payment collection practices. This initiative builds on Bureau research, including a white paper the Bureau published on these products in April 2013, a data point providing additional research in March 2014, and ongoing analysis. The Bureau expects in spring 2015 to release an outline of proposals under consideration and to convene a panel under the Small Business Regulatory Enforcement Fairness Act in conjunction with the Office of Management and Budget and the Small Business Administration's Chief Counsel for Advocacy to consult with small lenders who may be affected by the rulemaking. The Bureau expects to issue a Notice of Proposed Rulemaking later in 2015 after additional outreach and analysis.

Timetable:

Action	Date	FR Cite
Prerule Activities	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Mark Morelli, Office of Regulations, Consumer Financial Protection Bureau, *Phone:* 202 435–7700.

RIN: 3170–AA40

CONSUMER FINANCIAL PROTECTION BUREAU (CFPB)

Final Rule Stage

273. Home Mortgage Disclosure Act (Regulation C)

Legal Authority: 12 U.S.C. 2801 to 2810

Abstract: Section 1094 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) amended the Home Mortgage Disclosure Act (HMDA), which requires certain financial institutions to collect and report information in connection with housing-related loans and applications they receive for such loans. The amendments made by the Dodd-Frank Act, among other things, expand the scope of information relating to mortgage applications and loans that must be compiled, maintained, and reported under HMDA, including the ages of loan applicants and mortgagors, information relating to the points and fees payable at origination, the difference between the annual percentage rate associated with the loan and benchmark rates for all loans, the term of any prepayment penalty, the value of the property to be pledged as collateral, the term of the loan and of any introductory interest rate for the loan, the presence of contract terms allowing non-amortizing payments, the application channel, and the credit scores of applicants and mortgagors. The Dodd-Frank Act also provides authority for the CFPB to require other information, including identifiers for loans, parcels, and loan originators. The CFPB released a proposal in July 2014 published in the **Federal Register** on August 29, 2014, that would add data points in accordance with the Dodd-Frank Act amendments. The proposal also included other revisions to its regulations to effectuate the purposes of HMDA, including changes to institutional and transactional coverage, modifications of reporting requirements, and clarifications of other existing regulatory provisions.

Timetable:

Action	Date	FR Cite
NPRM	08/29/14	79 FR 51731
NPRM Comment Period End.	10/29/14	
Final Rule	08/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Thomas J. Kearney, Office of Regulations, Consumer Financial Protection Bureau, *Phone:* 202 435–7700.

RIN: 3170–AA10

274. The Expedited Funds Availability Act (Regulation cc)

Legal Authority: 12 U.S.C. 4001 *et seq.*

Abstract: The Expedited Funds Availability Act (EFA Act), implemented by Regulation CC, governs availability of funds after a check deposit and check collection and return processes. Section 1086 of the Dodd-Frank Wall Street Reform and Consumer Protection Act amended the EFA Act to provide the CFPB with joint rulemaking authority with the Board of Governors of the Federal Reserve System (Board) over certain consumer-related EFA Act provisions. The Board proposed amendments to Regulation CC in March 2011, to facilitate the banking industry's ongoing transition to fully-electronic

interbank check collection and return. The Board's proposal includes some provisions that are subject to the CFPB's joint rulemaking authority, including the period for funds availability and revising model form disclosures. In addition, in December 2013, the Board proposed revised amendments to certain Regulation CC provisions that are not subject to the CFPB's authority and stated in the proposal that the comment period has been extended to May 2, 2014. The CFPB will work with the Board to issue jointly a final rule that includes provisions within the CFPB's authority.

Timetable:

Action	Date	FR Cite
NPRM	03/25/11	76 FR 16862
NPRM Comment Period End.	06/03/11	
Final Rule	12/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Joseph Baressi, Office of Regulations, Consumer Financial Protection Bureau, *Phone:* 202 435–7700.

RIN: 3170–AA31

CONSUMER FINANCIAL PROTECTION BUREAU (CFPB)

Long-Term Actions

275. Business Lending Data (Regulation B)

Legal Authority: 15 U.S.C. 1691c–2

Abstract: Section 1071 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) amends the Equal Credit Opportunity Act (ECOA) to require financial institutions to report information concerning credit applications made by women- or minority-owned businesses and small businesses. The amendments to ECOA made by the Dodd-Frank Act require that certain data be collected and maintained, including the number of the application and date the application was received; the type and purpose of loan or credit applied for; the amount of credit applied for and approved; the type of action taken with regard to each application and the date of such action; the census tract of the principal place of business; the gross annual revenue of the business; and the race, sex, and ethnicity of the principal owners of the business. The Dodd-Frank Act also provides authority for the CFPB to require any additional data that the CFPB determines would aid in fulfilling the purposes of this section. The CFPB expects to begin developing proposed regulations concerning the data to be collected and appropriate procedures, information safeguards, and privacy protections for information-gathering under this section.

Timetable:

Action	Date	FR Cite
CFPB Expects Further Action To Be Determined.	To Be Determined	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Elena Grigera Babinecz, Office of Regulations, Consumer Financial Protection Bureau, *Phone:* 202 435–7700.

RIN: 3170–AA09

[FR Doc. 2015–14373 Filed 6–17–15; 8:45 am]

BILLING CODE 4810–AM–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XX

Consumer Product Safety Commission

Unified Agenda

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Ch. II

Semiannual Regulatory Agenda

AGENCY: U.S. Consumer Product Safety Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: In this document, the Commission publishes its semiannual regulatory flexibility agenda. In addition, this document includes an agenda of regulatory actions that the Commission expects to be under development or review by the agency during the next year. This document meets the requirements of the Regulatory Flexibility Act and Executive Order 12866. The Commission welcomes comments on the agenda and on the individual agenda entries.

DATES: Comments should be received in the Office of the Secretary on or before July 20, 2015.

ADDRESSES: Comments on the regulatory flexibility agenda should be captioned, ''Regulatory Flexibility Agenda'' and be emailed to *cpsc-os@cpsc.gov.* Comments may also be mailed or delivered to the Office of the Secretary, U.S. Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814–4408.

FOR FURTHER INFORMATION CONTACT: For further information on the agenda in general, contact Eileen Williams, Office of the General Counsel, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814–4408, *ewilliams@cpsc.gov.* For further information regarding a particular item on the agenda, consult the individual listed in the column headed ''Contact'' for that particular item.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (RFA) (5 U.S.C. 601 to 612) contains several provisions intended to reduce unnecessary and disproportionate regulatory requirements on small businesses, small governmental organizations, and other small entities. Section 602 of the RFA (5 U.S.C. 602) requires each agency to publish twice each year a regulatory flexibility agenda containing a brief description of the subject area of any rule expected to be proposed or promulgated, which is likely to have a ''significant economic impact'' on a ''substantial number'' of small entities. The agency must also provide a summary of the nature of the rule and a schedule for acting on each rule for which the agency has issued a notice of proposed rulemaking.

The regulatory flexibility agenda also is required to contain the name and address of the agency official knowledgeable about the items listed. Furthermore, agencies are required to provide notice of their agendas to small entities and to solicit their comments by direct notification or by inclusion in publications likely to be obtained by such entities.

Additionally, Executive Order 12866 requires each agency to publish twice each year a regulatory agenda of regulations under development or review during the next year, and the executive order states that such an agenda may be combined with the agenda published in accordance with the RFA. The regulatory flexibility agenda lists the regulatory activities expected to be under development or review during the next 12 months. It includes all such activities, whether or not they may have a significant economic impact on a substantial number of small entities. This agenda also includes regulatory activities that appeared in the fall 2014 agenda and have been completed by the Commission prior to publication of this agenda. Although CPSC, as an independent regulatory agency, is not required to comply with Executive orders, the Commission does follow Executive Order 12866 with respect to the publication of its regulatory agenda.

The agenda contains a brief description and summary of each regulatory activity, including the objectives and legal basis for each; an approximate schedule of target dates subject to revision for the development or completion of each activity; and the name and telephone number of a knowledgeable agency official concerning particular items on the agenda.

In fall 2007, the Internet became the basic means of disseminating the Unified Agenda. The complete Unified Agenda will be available online at: *www.reginfo.gov* in a format that offers users a greatly enhanced ability to obtain information from the Agenda database.

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), the Commission's printed agenda entries include only:

(1) Rules that are in the agency's regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act because they are likely to have a significant economic impact on a substantial number of small entities; and

(2) Rules that the agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's agenda requirements. Additional information on these entries is available in the Unified Agenda published on the Internet.

The agenda reflects an assessment of the likelihood that the specified event will occur during the next year; the precise dates for each rulemaking are uncertain, and new information and changes of circumstances or of law may alter anticipated timing. In addition, no final determination by staff or the Commission regarding the need for or the substance of any rule or regulation should be inferred from this agenda.

Dated: March 18, 2015.

Alberta E. Mills,

Acting Secretary, Consumer Product Safety Commission.

CONSUMER PRODUCT SAFETY COMMISSION—PRERULE STAGE

Sequence No.	Title	Regulation Identifier No.
276	Rule Review of 16 CFR Part 1633 Standard for the Flammability (Open Flame) of Mattress Sets **(Section 610 Review)**.	3041–AD47

CONSUMER PRODUCT SAFETY COMMISSION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
277	Recreational Off-Road Vehicles	3041–AC78

CONSUMER PRODUCT SAFETY COMMISSION—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
278	Standard for Sling Carriers	3041–AD28

CONSUMER PRODUCT SAFETY COMMISSION—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
279	Safety Standard for Magnet Sets	3041–AD27
280	Standard for Frame Child Carriers	3041–AD34

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

Prerule Stage

276. • Rule Review of 16 CFR Part 1633 Standard for the Flammability (Open Flame) of Mattress Sets (Section 610 Review)

Legal Authority: 5 U.S.C. 1193, Flammable Fabrics Act; 5 U.S.C. 610, Regulatory Flexibility Act

Abstract: The Commission published the Standard for the Flammability (Open Flame) of Mattress Sets in March 2006. The Standard sets open flame performance measures on all mattress sets entered into commerce on or after the effective date in July 2007. The purpose of the rule review is to assess the impact of the rule on small entities and to determine whether the rule should be continued without change, or should be amended or rescinded to make the rule more effective or less burdensome while still maintaining safety objectives. CPSC staff will solicit comments on the rule through a **Federal Register** notice. Staff will also conduct economic and fire loss data analyses to review the impact and effectiveness of the rule. A staff briefing package to the Commission will follow.

Timetable:

Action	Date	FR Cite
Notice for Comment Published in the FEDERAL REGISTER.	05/00/15	
Staff Sends Briefing Package to Commission.	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined.

Agency Contact: Lisa Scott, Project Manager, Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850, *Phone:* 301 987–2064, *Email: lscott@cpsc.gov.*

RIN: 3041–AD47

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

Final Rule Stage

277. Recreational Off-Road Vehicles

Legal Authority: 15 U.S.C. 2051

Abstract: The Commission is considering whether recreational off-road vehicles (ROVs) present an unreasonable risk of injury that should be regulated. ROVs are motorized vehicles having four or more low-pressure tires designed for off-road use and intended by the manufacturer primarily for recreational use by one or more persons. The salient characteristics of an ROV include a steering wheel for steering control, foot controls for throttle and braking, bench or bucket seats, a roll-over protective structure, and a maximum speed greater than 30 mph. On October 21, 2009, the Commission voted (4–0–1) to publish an advance notice of proposed rulemaking (ANPRM) in the **Federal Register**. The ANPRM was published in the **Federal Register** on October 28, 2009, and the comment period ended December 28, 2009. The Commission received two letters requesting an extension of the comment period. The Commission extended the comment period until March 15, 2010. Staff conducted testing and evaluation programs to develop performance requirements addressing vehicle stability, vehicle handling, and occupant protection. On October 29, 2014, the Commission voted (3–2) to publish an NPRM proposing standards addressing vehicle stability, vehicle handling, and occupant protection. The NPRM was published in the **Federal Register** on November 19, 2014. On January 23, 2015, the Commission published a notice of extension of the comment period for the NPRM, extending the comment period to April 8, 2015. Following review of the comments, staff will prepare a final rule briefing package in FY 2015 for Commission consideration.

Timetable:

Action	Date	FR Cite
Staff Sends ANPRM Briefing Package to Commission.	10/07/09	
Commission Decision.	10/21/09	
ANPRM	10/28/09	74 FR 55495
ANPRM Comment Period Extended.	12/22/09	74 FR 67987
Extended Comment Period End.	03/15/10	
Staff Sends NPRM Briefing Package to Commission.	09/24/14	
Staff Sends Supplemental Information on ROVs to Commission.	10/17/14	
Commission Decision.	10/29/14	
NPRM Published in FEDERAL REGISTER.	11/19/14	79 FR 68964

Action	Date	FR Cite
NPRM Comment Period Extended.	01/23/15	80 FR 3535
Extended Comment Period End.	04/08/15	
Staff Sends Final Rule Briefing Package to Commission.	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Caroleene Paul, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, 5 Research Place, Rockville, MD 20850, *Phone:* 301 987–2225, *Email: cpaul@cpsc.gov*.

RIN: 3041–AC78

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

Long-Term Actions

278. Standard for Sling Carriers

Legal Authority: Pub. L. 110–314, sec 104

Abstract: Section 104 of the Consumer Product Safety Improvement Act of 2008 (CPSIA) requires the Commission to issue consumer product safety standards for durable infant or toddler products. The Commission is directed to assess the effectiveness of applicable voluntary standards, and in accordance with the Administrative Procedure Act, promulgate consumer product safety standards that are substantially the same as the voluntary standard, or more stringent than the voluntary standard if the Commission determines that more stringent standards would further reduce the risk of injury associated with the product. The CPSIA requires that not later than August 14, 2009, the Commission begin rulemaking for at least two categories of durable infant or toddler products and promulgate two such standards every six months thereafter. The Commission proposed a consumer product safety standard for infant sling carriers as part of this series of standards for durable infant and toddler products. On June 13, 2014, staff sent an NPRM briefing package to the Commission. The Commission voted unanimously (3–0) to approve publication of the NPRM in the **Federal Register**. The NPRM was published in the **Federal Register** on July 23, 2014. Following review of the comments, staff will prepare a final rule briefing package for the Commission's consideration.

Timetable:

Action	Date	FR Cite
Staff Sends NPRM Briefing Package to the Commission.	06/13/14	
Commission Decision to Publish NPRM.	07/09/14	
NPRM	07/23/14	79 FR 42724
NPRM Comment Period End.	10/06/14	
Staff Sends Final Rule Briefing Package to Commission.	To Be Determined	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Hope Nesteruk, Project Manager, Directorate for Engineering Sciences, Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850, *Phone:* 301 987–2579, *Email: hnesteruk@cpsc.gov*.

RIN: 3041–AD28

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

Completed Actions

279. Safety Standard for Magnet Sets

Legal Authority: 15 U.S.C. 2056 to 2058

Abstract: Based on its review of incident data, the Commission determined preliminarily that there may be an unreasonable risk of injury associated with children ingesting high-powered magnets that are part of magnet sets. These magnet sets are aggregations of separable magnetic objects intended or marketed by the manufacturer as a manipulative or construction for general entertainment, such as puzzle working, sculpture building, mental stimulation, or stress relief. In contrast to ingesting other small parts, when a child ingests a magnet, the magnetic properties of the object can cause serious, life-threatening injuries. On September 4, 2012, the Commission published a notice of proposed rulemaking to establish a standard to address this hazard. Under the proposal, if a magnet set contains a magnet that fits within the CPSC's small parts cylinder, magnets from that set would be required to have a flux index of 50 or less. The flux index would be determined by the method described in ASTM F963–11, Standard Consumer Safety Specification for Toy Safety. The comment period ended on November 19, 2012. On October 22, 2013, the Commission held a public meeting providing an opportunity for the oral presentation of comments on the NPRM. On September 3, 2014, staff sent a final rule briefing package to the Commission, which the Commission approved. The final rule was published on October 3, 2014.

Timetable:

Action	Date	FR Cite
Staff Sent NPRM Briefing Package to Commission.	08/08/12	
Commission Decision.	08/24/12	
NPRM Published in Federal Register.	09/04/12	77 FR 53781
Comment Period End.	11/19/12	
Notice of Opportunity for Oral Presentation of Comments Published.	09/24/13	78 FR 58491
Public Meeting for Oral Presentation of Comments.	10/22/13	
Staff Sent Final Rule Briefing Package to Commission.	09/03/14	
Final Rule Published.	10/03/14	79 FR 59962
Final Rule Effective.	04/01/15	
Final Action Effective.	04/01/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Thomas Lee, Compliance Officer, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, *Phone:* 301 504–7737, *Email: tlee@cpsc.gov*.

RIN: 3041–AD27

280. Standard for Frame Child Carriers

Legal Authority: Pub. L. 110–314, sec 104

Abstract: Section 104 of the Consumer Product Safety Improvement Act of 2008 (CPSIA) requires the Commission to issue consumer product safety standards for durable infant or toddler products. The Commission is directed to assess the effectiveness of applicable voluntary standards and, in accordance with the Administrative Procedure Act, promulgate consumer product safety standards that are substantially the same as the voluntary standard or more stringent than the voluntary standard if the Commission determines that more stringent standards would further reduce the risk of injury associated with the product. The CPSIA requires that not later than August 14, 2009, the Commission begin rulemaking for at least two categories of durable infant or

toddler products and promulgate two such standards every six months thereafter. On April 22, 2014, staff sent an NPRM briefing package to the Commission for consideration. The Commission voted unanimously (3–0) on May 9, 2014, to approve publication in the **Federal Register**. On January 29, 2015, staff sent a Final Rule Briefing Package to the Commission for consideration. The Commission voted (5–0) to approve the final rule, which was published in the **Federal Register** on March 2, 2015. The final rule will take effect on September 2, 2016.

Timetable:

Action	Date	FR Cite
Staff Sends Briefing Package to Commission.	04/22/14	
Commission Decision.	05/09/14	
NPRM	05/16/14	79 FR 28458
Comment Period End.	07/30/14	
Staff Sends Final Rule Briefing Package to Commission.	01/29/15	
Commission Decision.	02/18/15	
Final Rule Published in Federal Register.	03/02/15	80 FR 11113
Final Action Effective.	09/02/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Patricia L. Edwards, Project Manager, Directorate for Engineering Sciences, Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850, *Phone:* 301 987–2224, *Email: pedwards@cpsc.gov*.

RIN: 3041–AD34

[FR Doc. 2015–14374 Filed 6–17–15; 8:45 am]

BILLING CODE 6355–01–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XXI

Federal Communications Commission

Unified Agenda

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Ch. I

Unified Agenda of Federal Regulatory and Deregulatory Actions—Spring 2015

AGENCY: Federal Communications Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: Twice a year, in spring and fall, the Commission publishes in the **Federal Register** a list in the Unified Agenda of those major items and other significant proceedings under development or review that pertain to the Regulatory Flexibility Act (U.S.C. 602). The Unified Agenda also provides the Code of Federal Regulations citations and legal authorities that govern these proceedings. The complete Unified Agenda will be published on the Internet in a searchable format at *www.reginfo.gov*.

ADDRESSES: Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Maura McGowan, Telecommunications Policy Specialist, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, (202) 418–0990.

SUPPLEMENTARY INFORMATION:

Unified Agenda of Major and Other Significant Proceedings

The Commission encourages public participation in its rulemaking process. To help keep the public informed of significant rulemaking proceedings, the Commission has prepared a list of important proceedings now in progress. The General Services Administration publishes the Unified Agenda in the **Federal Register** in the spring and fall of each year.

The following terms may be helpful in understanding the status of the proceedings included in this report:

Docket Number—assigned to a proceeding if the Commission has issued either a Notice of Proposed Rulemaking or a Notice of Inquiry concerning the matter under consideration. The Commission has used docket numbers since January 1, 1978. Docket numbers consist of the last two digits of the calendar year in which the docket was established plus a sequential number that begins at 1 with the first docket initiated during a calendar year (*e.g.,* Docket No. 96–1 or Docket No. 99–1). The abbreviation for the responsible bureau usually precedes the docket number, as in ''MB Docket No. 96–222,'' which indicates that the responsible bureau is the Media Bureau. A docket number consisting of only five digits (*e.g.,* Docket No. 29622) indicates that the docket was established before January 1, 1978.

Notice of Inquiry (NOI)—issued by the Commission when it is seeking information on a broad subject or trying to generate ideas on a given topic. A comment period is specified during which all interested parties may submit comments.

Notice of Proposed Rulemaking (NPRM)—issued by the Commission when it is proposing a specific change to Commission rules and regulations. Before any changes are actually made, interested parties may submit written comments on the proposed revisions.

Further Notice of Proposed Rulemaking (FNPRM)—issued by the Commission when additional comment in the proceeding is sought.

Memorandum Opinion and Order (MO&O)—issued by the Commission to deny a petition for rulemaking, conclude an inquiry, modify a decision, or address a petition for reconsideration of a decision.

Rulemaking (RM) Number—assigned to a proceeding after the appropriate bureau or office has reviewed a petition for rulemaking, but before the Commission has taken action on the petition.

Report and Order (R&O)—issued by the Commission to state a new or amended rule or state that the Commission rules and regulations will not be revised.

Marlene H. Dortch,

Secretary, Federal Communications Commission.

CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
281	Implementation of the Telecom Act of 1996; Access to Telecommunications Service, Telecommunications Equipment, and Customer Premises Equipment by Persons With Disabilities (WT Docket No. 96–198).	3060–AG58
282	Rules and Regulations Implementing the Telephone Consumer Protection Act (TCPA) of 1991 (CG Docket No. 02–278).	3060–AI14
283	Rules and Regulations Implementing Section 225 of the Communications Act (Telecommunications Relay Service) (CG Docket No. 03–123).	3060–AI15
284	Consumer Information and Disclosure and Truth in Billing and Billing Format	3060–AI61
285	Closed-Captioning of Video Programming **(Section 610 Review)**	3060–AI72
286	Accessibility of Programming Providing Emergency Information	3060–AI75
287	Empowering Consumers to Avoid Bill Shock (Docket No. 10–207)	3060–AJ51
288	Contributions to the Telecommunications Relay Services Fund (CG Docket No. 11–47)	3060–AJ63
289	Empowering Consumers to Prevent and Detect Billing for Unauthorized Charges (''Cramming'')	3060–AJ72
290	Implementation of the Middle Class Tax Relief and Job Creation Act of 2012/Establishment of a Public Safety Answering Point Do-Not-Call Registry.	3060–AJ84
291	Implementation of Sections 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CG Docket No. 10–213).	3060–AK00
292	Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services.	3060–AK01

OFFICE OF ENGINEERING AND TECHNOLOGY—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
293	New Advanced Wireless Services (ET Docket No. 00–258)	3060–AH65
294	Exposure to Radiofrequency Electromagnetic Fields	3060–AI17

OFFICE OF ENGINEERING AND TECHNOLOGY—LONG-TERM ACTIONS—Continued

Sequence No.	Title	Regulation Identifier No.
295	Unlicensed Operation in the TV Broadcast Bands (ET Docket No. 04–186)	3060–AI52
296	Fixed and Mobile Services in the Mobile Satellite Service (ET Docket No. 10–142)	3060–AJ46
297	Innovation in the Broadcast Television Bands (ET Docket No. 10–235)	3060–AJ57
298	Radio Experimentation and Market Trials Under Part 5 of the Commission's Rules and Streamlining Other Related Rules (ET Docket No. 10–236).	3060–AJ62
299	Operation of Radar Systems in the 76–77 GHz Band (ET Docket No. 11–90)	3060–AJ68
300	WRC–07 Implementation (ET Docket No. 12–338)	3060–AJ93
301	Federal Earth Stations-Non Federal Fixed Satellite Service Space Stations; Spectrum for Non-Federal Space Launch Operations; ET Docket No. 13–115.	3060–AK09
302	Authorization of Radiofrequency Equipment; ET Docket No. 13–44	3060–AK10
303	Operation of Radar Systems in the 76–77 GHz Band (ET Docket No. 15–26)	3060–AK29
304	Spectrum Access for Wireless Microphone Operations (GN Docket Nos. 14–166 and 12–268)	3060–AK30

INTERNATIONAL BUREAU—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
305	Space Station Licensing Reform (IB Docket No. 02–34)	3060–AH98
306	Reporting Requirements for U.S. Providers of International Telecommunications Services (IB Docket No. 04–112).	3060–AI42
307	International Settlements Policy Reform (IB Docket No. 11–80)	3060–AJ77
308	Reform of Rules and Policies on Foreign Carrier Entry Into the U.S. Telecommunications Market (IB Docket 12–299).	3060–AJ97
309	Comprehensive Review of Licensing and Operating Rules for Satellite Services (IB Docket No. 12–267)	3060–AJ98
310	Expanding Broadband and Innovation through Air-Ground Mobile Broadband Secondary Service for Passengers Aboard Aircraft in the 14.0–14.5 GHz Band; GN Docket No. 13–114.	3060–AK02
311	Terrestrial Use of the 2473–2495 MHz Band for Low-Power Mobile Broadband Networks; Amendments to Rules of Mobile Satellite Service System; IB Docket No. 13–213.	3060–AK16

INTERNATIONAL BUREAU—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
312	Revisions to Parts 2 and 25 of the Commission's Rules to Govern the Use of Earth Stations Aboard Aircraft (IB Docket No. 12–376).	3060–AJ96

MEDIA BUREAU—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
313	Broadcast Ownership Rules	3060–AH97
314	Establishment of Rules for Digital Low-Power Television, Television Translator, and Television Booster Stations (MB Docket No. 03–185).	3060–AI38
315	Joint Sales Agreements in Local Television Markets (MB Docket No. 04–256)	3060–AI55
316	Promoting Diversification of Ownership in the Broadcast Services (MB Docket No. 07–294)	3060–AJ27
317	Amendment of the Commission's Rules Related to Retransmission Consent (MB Docket No. 10–71)	3060–AJ55
318	Closed Captioning of Internet Protocol-Delivered Video Programming: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010 (MB Docket No. 11–154).	3060–AJ67
319	Accessibility of User Interfaces and Video Programming Guides and Menus (MB Docket No. 12–108)	3060–AK11
320	Network Non-Duplication and Syndicated Exclusivity Rule (MB Docket No. 14–29)	3060–AK18
321	Expansion of Online Public File Obligations To Cable and Satellite TV Operators and Broadcast and Satellite Radio Licensees; MB Docket No. 14–127.	3060–AK23
322	Promoting Innovation and Competition in the Provision of Multichannel Video Programming Distribution Services; MB Docket No. 14–261.	3060–AK25

OFFICE OF MANAGING DIRECTOR—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
323	Assessment and Collection of Regulatory Fees	3060–AI79
324	Amendment of Part 1 of the Commission's Rules, Concerning Practice and Procedure, Amendment of CORES Registration System; MD Docket No. 10–234.	3060–AJ54

PUBLIC SAFETY AND HOMELAND SECURITY BUREAU—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
325	Revision of the Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems	3060–AG34
326	Enhanced 911 Services for Wireline and Multi-Line Telephone Systems; PS Docket Nos. 10–255 and 07–117	3060–AG60
327	In the Matter of the Communications Assistance for Law Enforcement Act	3060–AG74
328	Implementation of 911 Act (CC Docket No. 92–105, WT Docket No. 00–110)	3060–AH90
329	Commission Rules Concerning Disruptions to Communications (PS Docket No. 11–82)	3060–AI22
330	E911 Requirements for IP-Enabled Service Providers (Dockets Nos. GN 11–117, PS 07–114, WC 05–196, WC 04–36).	3060–AI62
331	Commercial Mobile Alert System	3060–AJ03
332	Wireless E911 Location Accuracy Requirements; PS Docket No. 07–114	3060–AJ52
333	700 MHz Public Safety Broadband—First Net (PS Docket Nos. 12–94 & 06–229 and WT 06–150)	3060–AJ99
334	Proposed Amendments to Service Rules Governing Public Safety Narrowband Operations in the 769–775 and 799–805 MHz Bands.	3060–AK19

WIRELESS TELECOMMUNICATIONS BUREAU—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
335	Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers	3060–AH83
336	Review of Part 87 of the Commission's Rules Concerning Aviation (WT Docket No. 01–289)	3060–AI35
337	Implementation of the Commercial Spectrum Enhancement Act (CSEA) and Modernization of the Commission's Competitive Bidding Rules and Procedures (WT Docket No. 05–211).	3060–AI88
338	Facilitating the Provision of Fixed and Mobile Broadband Access, Educational, and Other Advanced Services in the 2150–2162 and 2500–2690 MHz Bands.	3060–AJ12
339	Service Rules for Advanced Wireless Services in the 2155–2175 MHz Band; WT Docket No. 13–185	3060–AJ19
340	Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698–806 MHz Band (WT Docket No. 08–166) Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low Power Auxiliary.	3060–AJ21
341	Amendment of the Commission's Rules to Improve Public Safety Communications in the 800 MHz Band, and to Consolidate the 800 MHz and 900 MHz Business and Industrial/Land Transportation Pool Channels.	3060–AJ22
342	Amendment of Part 101 to Accommodate 30 MHz Channels in the 6525–6875 MHz Band and Provide Conditional Authorization on Channels in the 21.8–22.0 and 23.0–23.2 GHz Band (WT Docket No. 04–114).	3060–AJ28
343	In the Matter of Service Rules for the 698 to 746, 747 to 762, and 777 to 792 MHz Bands	3060–AJ35
344	National Environmental Act Compliance for Proposed Tower Registrations; In the Matter of Effects on Migratory Birds.	3060–AJ36
345	Amendment of Part 90 of the Commission's Rules	3060–AJ37
346	Amendment of Part 101 of the Commission's Rules for Microwave Use and Broadcast Auxiliary Service Flexibility.	3060–AJ47
347	2004 and 2006 Biennial Regulatory Reviews—Streamlining and Other Revisions of the Commission's Rules Governing Construction, Marking, and Lighting of Antenna Structures.	3060–AJ50
348	Universal Service Reform Mobility Fund (WT Docket No. 10–208)	3060–AJ58
349	Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525–1559 MHz and 1626.5–1660.5 MHz, 1610–1626.5 MHz and 2483.5–2500 MHz, and 2000–2020 MHz and 2180–2200 MHz.	3060–AJ59
350	Improving Spectrum Efficiency Through Flexible Channel Spacing and Bandwidth Utilization for Economic Area-Based 800 MHz Specialized Mobile Radio Licensees (WT Docket Nos. 12–64 and 11–110).	3060–AJ71
351	Service Rules for Advanced Wireless Services in the 2000–2020 MHz and 2180–2200 MHz Bands	3060–AJ73
352	Promoting Interoperability in the 700 MHz Commercial Spectrum; Requests for Waiver and Extension of Lower 700 MHz Band Interim Construction Benchmark Deadlines (WT Docket Nos. 12–69 & 12–332).	3060–AJ78
353	Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; Docket No. 12–268.	3060–AJ82
354	Service Rules for Advanced Wireless Services of the Middle Class Tax Relief and Job Creation Act of 2012 Related to the 1915–1920 MHz and 1995–2000 MHz Bands (WT Docket No. 12–357).	3060–AJ86
355	Amendment of Parts 1, 2, 22, 24, 27, 90 and 95 of the Commission's Rules to Improve Wireless Coverage Through the Use of Signal Boosters (WT Docket No. 10–4).	3060–AJ87
356	Amendment of the Commission's Rules Governing Certain Aviation Ground Station Equipment (Squitter) (WT Docket Nos. 10–61 and 09–42).	3060–AJ88
357	Amendment of the Commission's Rules Concerning Commercial Radio Operators (WT Docket No. 10–177)	3060–AJ91
358	Radiolocation Operations in the 78–81 GHz Band; WT Docket No. 11–202	3060–AK04
359	Amendment of Part 90 of the Commission's Rules to Permit Terrestrial Trunked Radio (TETRA) Technology; WT Docket No. 11–6.	3060–AK05
360	Promoting Technological Solutions to Combat Wireless Contraband Device Use in Correctional Facilities	3060–AK06
361	800 MHz Cellular Telecommunications Licensing Reform; Docket No. 12–40	3060–AK13
362	Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies; WT Docket Nos. 13–238, 13–32 and WC Docket No. 11–59.	3060–AK22
363	Updating Competitive Bidding Rules	3060–AK28

WIRELESS TELECOMMUNICATIONS BUREAU—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
364	Amendment of the Rules Regarding Maritime Automatic Identification Systems (WT Docket No. 04–344)	3060–AJ16

WIRELINE COMPETITION BUREAU—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
365	Implementation of the Universal Service Portions of the 1996 Telecommunications Act	3060–AF85
366	2000 Biennial Regulatory Review—Telecommunications Service Quality Reporting Requirements	3060–AH72
367	Access Charge Reform and Universal Service Reform	3060–AH74
368	National Exchange Carrier Association Petition	3060–AI47
369	IP-Enabled Services; WC Docket No. 04–36	3060–AI48
370	Establishing Just and Reasonable Rates for Local Exchange Carriers (WC Docket No. 07–135)	3060–AJ02
371	Jurisdictional Separations	3060–AJ06
372	Service Quality, Customer Satisfaction, Infrastructure and Operating Data Gathering (WC Docket Nos. 08–190, 07–139, 07–204, 07–273, 07–21).	3060–AJ14
373	Form 477; Development of Nationwide Broadband Data To Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans.	3060–AJ15
374	Local Number Portability Porting Interval and Validation Requirements (WC Docket No. 07–244)	3060–AJ32
375	Implementation of Section 224 of the Act; A National Broadband Plan for Our Future (WC Docket No. 07–245, GN Docket No. 09–51).	3060–AJ64
376	Rural Call Completion; WC Docket No. 13–39	3060–AJ89
377	Rates for Inmate Calling Services; WC Docket No. 12–375	3060–AK08
378	Comprehensive Review of the Part 32 Uniform System of Accounts (WC Docket No. 14–130)	3060–AK20
379	Protecting and Promoting the Open Internet; (WC Docket No. 14–28)	3060–AK21
380	Emerging Wireline Networks and Services; GN Docket No 13–5, WC Docket No. 05–25	3060–AK32
381	Modernizing Common Carrier Rules, WC Docket No 15–33	3060–AK33

WIRELINE COMPETITION BUREAU—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
382	Preserving the Open Internet; Broadband Industry Practices	3060–AJ30
383	Electronic Tariff Filing System (WC Docket No. 10–141)	3060–AJ41

FEDERAL COMMUNICATIONS COMMISSION (FCC)

Consumer and Governmental Affairs Bureau

Long-Term Actions

281. Implementation of the Telecom Act of 1996; Access to Telecommunications Service, Telecommunications Equipment, and Customer Premises Equipment by Persons With Disabilities (WT Docket No. 96–198)

Legal Authority: 47 U.S.C. 255; 47 U.S.C. 251(a)(2)

Abstract: These proceedings implement the provisions of sections 255 and 251(a)(2) of the Communications Act and related sections of the Telecommunications Act of 1996 regarding the accessibility of telecommunications equipment and services to persons with disabilities.

Timetable:

Action	Date	FR Cite
R&O	08/14/96	61 FR 42181
NOI	09/26/96	61 FR 50465
NPRM	05/22/98	63 FR 28456
R&O	11/19/99	64 FR 63235
Further NOI	11/19/99	64 FR 63277
Public Notice	01/07/02	67 FR 678
R&O	08/06/07	72 FR 43546
Petition for Waiver	11/01/07	72 FR 61813
Public Notice	11/01/07	72 FR 61882
Final Rule	04/21/08	73 FR 21251
Public Notice	08/01/08	73 FR 45008
Extension of Waiver.	05/15/08	73 FR 28057
Extension of Waiver.	05/06/09	74 FR 20892
Public Notice	05/07/09	74 FR 21364
Extension of Waiver.	07/29/09	74 FR 37624
NPRM	03/14/11	76 FR 13800
NPRM Comment Period Extended.	04/12/11	76 FR 20297
FNPRM	12/30/11	76 FR 82240
Comment Period End.	03/14/12	
R&O	12/30/11	76 FR 82354
Announcement of Effective Date.	04/25/12	77 FR 24632
2nd R&O	05/22/13	78 FR 30226
FNPRM	12/20/13	78 FR 77074
FNPRM Comment Period End.	02/18/14	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cheryl J. King, Deputy Chief, Disability Rights Office, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2284, *TDD Phone:* 202 418–0416, *Fax:* 202 418–0037, *Email: cheryl.king@fcc.gov.*

RIN: 3060–AG58

282. Rules and Regulations Implementing the Telephone Consumer Protection Act (TCPA) of 1991 (CG Docket No. 02–278)

Legal Authority: 47 U.S.C. 227

Abstract: On July 3, 2003, the Commission released a Report and Order establishing, along with the FTC, a national do-not-call registry. The

Commission's Report and Order also adopted rules on the use of predictive dialers, the transmission of caller ID information by telemarketers, and the sending of unsolicited fax advertisements. On September 21, 2004, the Commission released an Order amending existing safe harbor rules for telemarketers subject to the do-not-call registry to require such telemarketers to access the do-not-call list every 31 days, rather than every three months. On April 5, 2006, the Commission adopted a Report and Order and Third Order on Reconsideration amending its facsimile advertising rules to implement the Junk Fax Protection Act of 2005. On October 14, 2008, the Commission released an Order on Reconsideration addressing certain issues raised in petitions for reconsideration and/or clarification of the Report and Order and Third Order on Reconsideration. On January 4, 2008, the Commission released a Declaratory Ruling, clarifying that autodialed and prerecorded message calls to wireless numbers that are provided by the called party to a creditor in connection with an existing debt are permissible as calls made with the ''prior express consent'' of the called party. Following a December 4, 2007, NPRM, on June 17, 2008, the Commission released a Report and Order amending its rules to require sellers and/or telemarketers to honor registrations with the National Do-Not-Call Registry indefinitely, unless the registration is cancelled by the consumer or the number is removed by the database administrator. Following a January 22, 2010, NPRM, the Commission released a Report and Order (on February 15, 2012) requiring telemarketers to obtain prior express written consent, including by electronic means, before making an autodialed or prerecorded telemarketing call to a wireless number or before making a prerecorded telemarketing call to a residential line; eliminating the ''established business relationship'' exemption to the consent requirement for prerecorded telemarketing calls to residential lines; requiring telemarketers to provide an automated, interactive ''opt-out'' mechanism during autodialed or prerecorded telemarketing calls to wireless numbers and during prerecorded telemarketing calls to residential lines; and requiring that the abandoned call rate for telemarketing calls be calculated on a ''per-campaign'' basis. On November 29, 2012, the Commission released a Declaratory Ruling clarifying that sending a one-time text message confirming a consumer's request that no further text messages be sent does not violate the Telephone Consumer Protection Act (TCPA) or the Commission's rules as long as the confirmation text only confirms receipt of the consumer's opt-out request, and does not contain marketing, solicitations, or an attempt to convince the consumer to reconsider his or her opt-out decision. The ruling applies only when the sender of the text messages has obtained prior express consent, as required by the TCPA and Commission rules, from the consumer to be sent text messages using an automatic telephone dialing system. On May 9, 2013, the Commission released a declaratory ruling clarifying that while a seller does not generally ''initiate'' calls made through a third-party telemarketer, within the meaning of the Telephone Consumer Protection Act (TCPA), it nonetheless may be held vicariously liable under Federal common law principles of agency for violations of either section 227(b) or section 227(c) that are committed by third-party telemarketers.

Timetable:

Action	Date	FR Cite
NPRM	10/08/02	67 FR 62667
FNPRM	04/03/03	68 FR 16250
Order	07/25/03	68 FR 44144
Order Effective	08/25/03	
Order on Reconsideration.	08/25/03	68 FR 50978
Order	10/14/03	68 FR 59130
FNPRM	03/31/04	69 FR 16873
Order	10/08/04	69 FR 60311
Order	10/28/04	69 FR 62816
Order on Reconsideration.	04/13/05	70 FR 19330
Order	06/30/05	70 FR 37705
NPRM	12/19/05	70 FR 75102
Public Notice	04/26/06	71 FR 24634
Order	05/03/06	71 FR 25967
NPRM	12/14/07	72 FR 71099
Declaratory Ruling	02/01/08	73 FR 6041
R&O	07/14/08	73 FR 40183
Order on Reconsideration.	10/30/08	73 FR 64556
NPRM	03/22/10	75 FR 13471
R&O	06/11/12	77 FR 34233
Public Notice	06/30/10	75 FR 34244
Public Notice (Reconsideration Petitions Filed).	10/03/12	77 FR 60343
Announcement of Effective Date.	10/16/12	77 FR 63240
Opposition End Date.	10/18/12	
Rule Corrections	11/08/12	77 FR 66935
Declaratory Ruling (Release Date).	11/29/12	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kristi Lemoine, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2467, *Email: kristi.lemoine@fcc.gov*.

RIN: 3060–AI14

283. Rules and Regulations Implementing Section 225 of the Communications Act (Telecommunications Relay Service) (CG Docket No. 03–123)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 225

Abstract: This proceeding established a new docket flowing from the previous telecommunications relay service (TRS) history, CC Docket No. 98–67. This proceeding continues the Commission's inquiry into improving the quality of TRS and furthering the goal of functional equivalency, consistent with Congress' mandate that TRS regulations encourage the use of existing technology and not discourage or impair the development of new technology. In this docket, the Commission explores ways to improve emergency preparedness for TRS facilities and services, new TRS technologies, public access to information and outreach, and issues related to payments from the Interstate TRS Fund.

Timetable:

Action	Date	FR Cite
NPRM	08/25/03	68 FR 50993
R&O, Order on Reconsideration.	09/01/04	69 FR 53346
FNPRM	09/01/04	69 FR 53382
Public Notice	02/17/05	70 FR 8034
Declaratory Ruling/Interpretation.	02/25/05	70 FR 9239
Public Notice	03/07/05	70 FR 10930
Order	03/23/05	70 FR 14568
Public Notice/Announcement of Date.	04/06/05	70 FR 17334
Order	07/01/05	70 FR 38134
Order on Reconsideration.	08/31/05	70 FR 51643
R&O	08/31/05	70 FR 51649
Order	09/14/05	70 FR 54294
Order	09/14/05	70 FR 54298
Public Notice	10/12/05	70 FR 59346
R&O/Order on Reconsideration.	12/23/05	70 FR 76208
Order	12/28/05	70 FR 76712
Order	12/29/05	70 FR 77052
NPRM	02/01/06	71 FR 5221
Declaratory Ruling/Clarification.	05/31/06	71 FR 30818
FNPRM	05/31/06	71 FR 30848
FNPRM	06/01/06	71 FR 31131
Declaratory Ruling/Dismissal of Petition.	06/21/06	71 FR 35553
Clarification	06/28/06	71 FR 36690
Declaratory Ruling on Reconsideration.	07/06/06	71 FR 38268
Order on Reconsideration.	08/16/06	71 FR 47141
MO&O	08/16/06	71 FR 47145

Action	Date	FR Cite
Clarification	08/23/06	71 FR 49380
FNPRM	09/13/06	71 FR 54009
Final Rule; Clarification.	02/14/07	72 FR 6960
Order	03/14/07	72 FR 11789
R&O	08/06/07	72 FR 43546
Public Notice	08/16/07	72 FR 46060
Order	11/01/07	72 FR 61813
Public Notice	01/04/08	73 FR 863
R&O/Declaratory Ruling.	01/17/08	73 FR 3197
Order	02/19/08	73 FR 9031
Order	04/21/08	73 FR 21347
R&O	04/21/08	73 FR 21252
Order	04/23/08	73 FR 21843
Public Notice	04/30/08	73 FR 23361
Order	05/15/08	73 FR 28057
Declaratory Ruling	07/08/08	73 FR 38928
FNPRM	07/18/08	73 FR 41307
R&O	07/18/08	73 FR 41286
Public Notice	08/01/08	73 FR 45006
Public Notice	08/05/08	73 FR 45354
Public Notice	10/10/08	73 FR 60172
Order	10/23/08	73 FR 63078
2nd R&O and Order on Reconsideration.	12/30/08	73 FR 79683
Order	05/06/09	74 FR 20892
Public Notice	05/07/09	74 FR 21364
NPRM	05/21/09	74 FR 23815
Public Notice	05/21/09	74 FR 23859
Public Notice	06/12/09	74 FR 28046
Order	07/29/09	74 FR 37624
Public Notice	08/07/09	74 FR 39699
Order	09/18/09	74 FR 47894
Order	10/26/09	74 FR 54913
Public Notice	05/12/10	75 FR 26701
Order Denying Stay Motion (Release Date).	07/09/10	
Order	08/13/10	75 FR 49491
Order	09/03/10	75 FR 54040
NPRM	11/02/10	75 FR 67333
NPRM	05/02/11	76 FR 24442
Order	07/25/11	76 FR 44326
Final Rule (Order)	09/27/11	76 FR 59551
Final Rule; Announcement of Effective Date.	11/22/11	76 FR 72124
Proposed Rule (Public Notice).	02/28/12	77 FR 11997
Proposed Rule (FNPRM).	02/01/12	77 FR 4948
First R&O	07/25/12	77 FR 43538
Public Notice	10/29/12	77 FR 65526
Order on Reconsideration.	12/26/12	77 FR 75894
Order	02/05/13	78 FR 8030
Order (Interim Rule).	02/05/13	78 FR 8032
NPRM	02/05/13	78 FR 8090
Announcement of Effective Date.	03/07/13	78 FR 14701
NPRM Comment Period End.	03/13/13	
FNPRM	07/05/13	78 FR 40407
FNPRM Comment Period End.	09/18/13	
R&O	07/05/13	78 FR 40582
R&O	08/15/13	78 FR 49693
FNPRM	08/15/13	78 FR 49717
FNPRM Comment Period End.	09/30/13	
R&O	08/30/13	78 FR 53684
FNPRM	09/03/13	78 FR 54201
NPRM	10/23/13	78 FR 63152
FNPRM Comment Period End.	11/18/13	
Petiton for Reconsideration; Request for Comment.	12/16/13	78 FR 76096
Petition for Reconsideration; Request for Comment.	12/16/13	78 FR 76097
Request for Clarification; Request for Comment; Correction.	12/30/13	78 FR 79362
Petition for Reconsideration Comment Period End.	01/10/14	
NPRM Comment Period End.	01/21/14	
Announcement of Effective Date.	07/11/14	79 FR 40003
Announcement of Effective Date.	08/28/14	79 FR 51446
Correction—Announcement of Effective Date.	08/28/14	79 FR 51450
Technical Amendments.	09/09/14	79 FR 53303
Public Notice	09/15/14	79 FR 54979
R&O and Order	10/21/14	79 FR 62875
FNPRM	10/21/14	79 FR 62935
FNPRM Comment Period End.	12/22/14	
Final Action (Announcement of Effective Date).	10/30/14	79 FR 64515
Final Rule Effective.	10/30/14	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Karen Peltz Strauss, Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2388, *Email: karen.strauss@fcc.gov*.

RIN: 3060–AI15

284. Consumer Information and Disclosure and Truth in Billing and Billing Format

Legal Authority: 47 U.S.C. 201; 47 U.S.C. 258

Abstract: In 1999, the Commission adopted truth-in-billing rules to address concerns that there is consumer confusion relating to billing for telecommunications services. On March 18, 2005, the Commission released an Order and Further Notice of Proposed Rulemaking (FNPRM) to further facilitate the ability of telephone consumers to make informed choices among competitive service offerings. On August 28, 2009, the Commission released a Notice of Inquiry that asks questions about information available to consumers at all stages of the purchasing process for all communications services, including: (1) Choosing a provider; (2) choosing a service plan; (3) managing use of the service plan; and (4) deciding whether and when to switch an existing provider or plan. On October 14, 2010, the Commission released a Notice of Proposed Rulemaking (NPRM) proposing rules that would require mobile service providers to provide usage alerts and information that will assist consumers in avoiding unexpected charges on their bills. On July 12, 2011, the Commission released an NPRM proposing rules that would assist consumers in detecting and preventing the placement of unauthorized charges on their telephone bills, an unlawful and fraudulent practice, commonly referred to as ''cramming.'' On April 27, 2012, the Commission adopted rules to address ''cramming'' on wireline telephone bills and released an FNPRM seeking comment on additional measures to protect wireline and wireless consumers from unauthorized charges.

Timetable:

Action	Date	FR Cite
FNPRM	05/25/05	70 FR 30044
R&O	05/25/05	70 FR 29979
NOI	08/28/09	
Public Notice	05/20/10	75 FR 28249
Public Notice	06/11/10	75 FR 33303
NPRM	11/26/10	75 FR 72773
NPRM	08/23/11	76 FR 52625
NPRM Comment Period End.	11/21/11	
Order (Reply Comment Period Extended).	11/30/11	76 FR 74017
Reply Comment Period End.	12/05/11	
R&O	05/24/12	77 FR 30915
FNPRM	05/24/12	77 FR 30972
FNPRM Comment Period End.	07/09/12	
Order (Comment Period Extended).	07/17/12	77 FR 41955
Comment Period End.	07/20/12	
Announcement of Effective Dates.	10/26/12	77 FR 65230
Correction of Final Rule.	11/30/12	77 FR 71353
Correction of Final Rule.	11/30/12	77 FR 71354
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Richard D Smith, Special Counsel, Consumer Policy Divison, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 717 338–2797, *Fax:* 717 338–2574, *Email: richard.smith@fcc.gov.*

RIN: 3060–AI61

285. Closed-Captioning of Video Programming (Section 610 Review)

Legal Authority: 47 U.S.C. 613

Abstract: The Commission's closed-captioning rules are designed to make video programming more accessible to deaf and hard-of-hearing Americans. This proceeding resolves some issues regarding the Commission's closed-captioning rules that were raised for comment in 2005, and also seeks comment on how a certain exemption from the closed-captioning rules should be applied to digital multicast broadcast channels.

Timetable:

Action	Date	FR Cite
NPRM	02/03/97	62 FR 4959
R&O	09/16/97	62 FR 48487
Order on Reconsideration.	10/20/98	63 FR 55959
NPRM	09/26/05	70 FR 56150
Order and Declaratory Ruling.	01/13/09	74 FR 1594
NPRM	01/13/09	74 FR 1654
Final Rule Correction.	09/11/09	74 FR 46703
Final Rule (Announcement of Effective Date).	02/19/10	75 FR 7370
Order	02/19/10	75 FR 7368
Order Suspending Effective Date.	02/19/10	75 FR 7369
Waiver Order	10/04/10	75 FR 61101
Public Notice	11/17/10	75 FR 70168
Interim Final Rule (Order).	11/01/11	76 FR 67376
Final Rule (MO&O).	11/01/11	76 FR 67377
NPRM	11/01/11	76 FR 67397
NPRM Comment Period End.	12/16/11	
Public Notice	05/04/12	77 FR 26550
Public Notice	12/15/12	77 FR 72348
Final Rule Effective.	03/16/15	
FNPRM	03/27/14	79 FR 17094
R&O	03/31/14	79 FR 17911
FNPRM Comment Period End.	07/25/14	
Final Action (Announcement of Effective Date).	12/29/14	79 FR 77916
2nd FNPRM	12/31/14	79 FR 78768
Comment Period End.	01/30/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Eliot Greenwald, Consumer & Governmental Affairs Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2235, *Email: eliot.greenwald@fcc.gov.*

RIN: 3060–AI72

286. Accessibility of Programming Providing Emergency Information

Legal Authority: 47 U.S.C. 613

Abstract: In this proceeding, the Commission adopted rules detailing how video programming distributors must make emergency information accessible to persons with hearing and visual disabilities.

Timetable:

Action	Date	FR Cite
FNPRM	01/21/98	63 FR 3070
NPRM	12/01/99	64 FR 67236
NPRM Correction	12/22/99	64 FR 71712
Second R&O	05/09/00	65 FR 26757
R&O	09/11/00	65 FR 54805
Final Rule; Correction.	09/20/00	65 FR 5680
NPRM	11/28/12	77 FR 70970
NPRM Comment Period Extended.	12/20/12	77 FR 75404
NPRM Comment Period Extension End.	01/07/13	
R&O	05/24/13	78 FR 31770
FNPRM	05/24/13	78 FR 31800
FNPRM	12/20/13	78 FR 77074
FNPRM Comment Period End.	02/18/14	
NPRM	06/18/13	78 FR 36478
NPRM Comment Period End.	08/07/13	
R&O	12/20/13	78 FR 77210
Petition for Reconsideration.	01/31/14	79 FR 5364
Comment Period End.	02/25/14	
Correcting Amendments.	02/10/14	79 FR 7590
Announcement of Effective Date.	04/16/14	79 FR 21399
Final Action (Announcement of Effective Date).	01/26/15	80 FR 3913
Final Action Effective.	01/26/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Eliot Greenwald, Consumer & Governmental Affairs Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2235, *Email: eliot.greenwald@fcc.gov.*

RIN: 3060–AI75

287. Empowering Consumers To Avoid Bill Shock (Docket No. 10–207)

Legal Authority: 47 U.S.C. 201; 47 U.S.C. 303; 47 U.S.C. 332

Abstract: On October 14, 2010, the Commission released a Notice of Proposed Rulemaking which proposes a rule that would require mobile service providers to provide usage alerts and information to help consumers avoid unexpected charges on their bills.

Timetable:

Action	Date	FR Cite
Public Notice	05/20/10	75 FR 28249
NPRM	11/26/10	75 FR 72773
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Richard D Smith, Special Counsel, Consumer Policy Divison, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 717 338–2797, *Fax:* 717 338–2574, *Email: richard.smith@fcc.gov.*

RIN: 3060–AJ51

288. Contributions to the Telecommunications Relay Services Fund (CG Docket No. 11–47)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 225; 47 U.S.C. 616

Abstract: The Commission prescribes by regulation the obligations of each provider of interconnected and non-interconnected Voice over Internet Protocol (VoIP) service to participate in and contribute to the Interstate Telecommunications Relay Services Fund in a manner that is consistent with and comparable to such fund.

Timetable:

Action	Date	FR Cite
NPRM	04/04/11	76 FR 18490
NPRM Comment Period End.	05/04/11	
Final Rule	10/25/11	76 FR 65965
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Rosaline Crawford, Attorney, Disability Rights Office, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2075, *Email: rosaline.crawford@fcc.gov.*

RIN: 3060–AJ63

289. Empowering Consumers To Prevent and Detect Billing for Unauthorized Charges (''Cramming'')

Legal Authority: 47 U.S.C. 201; 47 U.S.C. 301; 47 U.S.C. 303; 47 U.S.C. 332

Abstract: On July 12, 2011, the Commission released a Notice of Proposed Rulemaking proposing rules that would help consumers detect and prevent the placement of unauthorized charges on telephone bills, an unlawful and fraudulent practice commonly referred to as ''cramming.'' On April 27, 2012, the Commission adopted rules to address ''cramming'' on wireline telephone bills and released a Further Notice of Proposed Rulemaking seeking comment on additional measures to protect wireline and wireless consumers from unauthorized charges.

Timetable:

Action	Date	FR Cite
NPRM	08/23/11	76 FR 52625
NPRM Comment Period End.	11/21/11	
Order (Extends Reply Comment Period).	11/30/11	76 FR 74017
NPRM Comment Period End.	12/05/11	
FNPRM	05/24/12	77 FR 30972
R&O	05/24/12	77 FR 30915
FNPRM Comment Period End.	07/09/12	
Order (Extends Reply Comment Period).	07/17/12	77 FR 41955
FNPRM Comment Period End.	07/20/12	
Announcement of Effective Dates.	10/26/12	77 FR 65230
Correction of Final Rule.	11/30/12	77 FR 71354
Correction of Final Rule.	11/30/12	77 FR 71353
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Richard D Smith, Special Counsel, Consumer Policy Divison, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 717 338–2797, *Fax:* 717 338–2574, *Email: richard.smith@fcc.gov*.

RIN: 3060–AJ72

290. Implementation of the Middle Class Tax Relief and Job Creation Act of 2012/Establishment of a Public Safety Answering Point Do-Not-Call Registry

Legal Authority: Pub. L. 112–96 sec 6507

Abstract: The Commission issued, on May 22, 2012, an NPRM to initiate a proceeding to create a Do-Not-Call registry for public safety answer points (PSAPs), as required by section 6507 of the Middle Class Tax Relief and Job Creation Act of 2012. The statute requires the Commission to establish a registry that allows PSAPs to register their telephone numbers on a do-not-call list; prohibit the use of automatic dialing equipment to contact registered numbers; and implement a range of monetary penalties for disclosure of registered numbers and for use of automatic dialing equipment to contact such numbers. On October 17, 2012, the Commission adopted final rules implementing the statutory requirements described above.

Timetable:

Action	Date	FR Cite
NPRM	06/21/12	77 FR 37362
R&O	10/29/12	77 FR 71131
Correction Amendments.	02/13/13	78 FR 10099
Announcement of Effective Date.	03/26/13	78 FR 18246
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Richard D. Smith, Special Counsel, Consumer Policy Divison, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 717 338–2797, *Fax:* 717 338–2574, *Email: richard.smith@fcc.gov*.

RIN: 3060–AJ84

291. Implementation of Sections 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CG Docket No. 10–213)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 255; 47 U.S.C. 617; 47 U.S.C. 618; 47 U.S.C. 619

Abstract: These proceedings implement sections 716, 717, and 718 of the Communications Act, which were added by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA), related to the accessibility of advanced communications services and equipment (section 716), recordkeeping and enforcement requirements for entities subject to sections 255, 716, and 718 (section 717), and accessibility of Internet browsers built into mobile phones (section 718).

Timetable:

Action	Date	FR Cite
NPRM	03/14/11	76 FR 13800
NPRM Comment Period Extended.	04/12/11	76 FR 20297
NPRM Comment Period End.	05/13/11	
FNPRM	12/30/11	76 FR 82240
R&O	12/30/11	76 FR 82354
FNPRM Comment Period End.	03/14/12	
Announcement of Effective Date.	04/25/12	77 FR 24632
2nd R&O	05/22/13	78 FR 30226
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Rosaline Crawford, Attorney, Disability Rights Office, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2075, *Email: rosaline.crawford@fcc.gov*.

RIN: 3060–AK00

292. Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 225

Abstract: The FCC initiated this proceeding in its effort to ensure that IP CTS is available for eligible users only. In doing so, the FCC released an Interim Order and Notice of Proposed Rulemaking (NPRM) to address certain practices related to the provision and marketing of Internet Protocol Captioned Telephone Service (IP CTS). IP CTS is a form of relay service designed to allow people with hearing loss to speak directly to another party on a telephone call and to simultaneously listen to the other party and read captions of what that party is saying over an IP-enabled device. To ensure that IP CTS is provided efficiently to persons who need to use this service, this new Order establishes several requirements on a temporary basis from March 7, 2013 to September 3, 2013.

Timetable:

Action	Date	FR Cite
NPRM	02/05/13	78 FR 8090
Order (Interim Rule).	02/05/13	78 FR 8032
Order	02/05/13	78 FR 8030
Announcement of Effective Date.	03/07/13	78 FR 14701
NPRM Comment Period End.	03/12/13	
R&O	08/30/13	78 FR 53684
FNPRM	09/30/13	78 FR 54201
FNPRM Comment Period End.	11/18/13	

Action	Date	FR Cite
Petition for Reconsideration Request for Comment.	12/16/13	78 FR 76097
Petiton for Reconsideration Comment Period End.	01/10/14	
Announcement of Effective Date.	08/28/14	79 FR 51446
Correction—Announcement of Effective Date.	08/28/14	79 FR 51450
Technical Amendments.	09/09/14	79 FR 53303
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Greg Hlibok, Chief, Disability Rights Office, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 559–5158, *TDD Phone:* 202 418–0413, *Email: gregory.hlibok@fcc.gov*

RIN: 3060–AK01

FEDERAL COMMUNICATIONS COMMISSION (FCC)

Office of Engineering and Technology

Long-Term Actions

293. New Advanced Wireless Services (ET Docket No. 00–258)

Legal Authority: 47 U.S.C. 154(i); 47 U.S.C. 157(a); 47 U.S.C. 303(c); 47 U.S.C. 303(f); 47 U.S.C. 303(g); 47 U.S.C. 303(r)

Abstract: This proceeding explores the possible uses of frequency bands below 3 GHz to support the introduction of new advanced wireless services, including third generations as well as future generations of wireless systems. Advanced wireless systems could provide for a wide range of voice data and broadband services over a variety of mobile and fixed networks. The Third Notice of Proposed Rulemaking discusses the frequency bands that are still under consideration in this proceeding and invites additional comments on their disposition. Specifically, it addresses the Unlicensed Personal Communications Service (UPCS) band at 1910–1930 MHz, the Multipoint Distribution Service (MDS) spectrum at 2155–2160/62 MHz bands, the Emerging Technology spectrum, at 2160–2165 MHz, and the bands reallocated from MSS 91990–2000 MHz, 2020–2025 MHz, and 2165–2180 MHz. We seek comment on these bands with respect to using them for paired or unpaired Advance Wireless Service (AWS) operations or as relocation spectrum for existing services. The seventh Report and Order facilitates the introduction of Advanced Wireless Service (AWS) in the band 1710–1755 MHz—an integral part of a 90 MHz spectrum allocation recently reallocated to allow for such new and innovative wireless services. We largely adopt the proposals set forth in our recent AWS Fourth NPRM in this proceeding that are designed to clear the 1710–1755 MHz band of incumbent Federal Government operations that would otherwise impede the development of new nationwide AWS services. These actions are consistent with previous actions in this proceeding and with the United States Department of Commerce, National Telecommunications and Information Administration (NTIA) 2002 Viability Assessment, which addressed relocation and re-accommodation options for Federal Government operations in the band. The eighth Report and Order reallocated the 2155–2160 MHz band for fixed and mobile services and designates the 2155–2175 MHz band for Advanced Wireless Service (AWS) use. This proceeding continues the Commission's ongoing efforts to promote spectrum utilization and efficiency with regard to the provision of new services, including Advanced Wireless Services. The Order requires Broadband Radio Service (BRS) licensees in the 2150–2160/62 MHz band to provide information on the construction status and operational parameters of each incumbent BRS system that would be the subject of relocation. The Notice of Proposed Rule Making requested comments on the specific relocation procedures applicable to Broadband Radio Service (BRS) operations in the 2150–2160/62 MHz band, which the Commission recently decided will be relocated to the newly restructured 2495–2690 MHz band. The Commission also requested comments on the specific relocation procedures applicable to Fixed Microwave Service (FS) operations in the 2160–2175 MHz band. The Office of Engineering and Technology (OET) and the Wireless Telecommunications Bureau (WTB) set forth the specific data that Broadband Radio Service (BRS) licensees in the 2150–2160/62 MHz band must file along with the deadline date and procedures for filing this data on the Commission's Universal Licensing System (ULS). The data will assist in determining future AWS licensees' relocation obligations. The ninth Report and Order established procedures for the relocation of Broadband Radio Service (BRS) operations from the 2150–2160/62 MHz band, as well as for the relocation of Fixed Microwave Service (FS) operations from the 2160–2175 MHz band, and modified existing relocation procedures for the 2110–2150 MHz and 2175–2180 MHz bands. It also established cost-sharing rules to identify the reimbursement obligations for Advanced Wireless Service (AWS) and Mobile Satellite Service (MSS) entrants benefiting from the relocation of incumbent FS operations in the 2110–2150 MHz and 2160–2200 MHz bands and AWS entrants benefiting from the relocation of BRS incumbents in the 2150–2160/62 MHz band. The Commission continues its ongoing efforts to promote spectrum utilization and efficiency with regard to the provision of new services, including AWS. The Order dismisses a petition for reconsideration filed by the Wireless Communications Association International, Inc. (WCA) as moot. Two petitions for reconsideration were filed in response to the ninth Report and Order. The Report and Orders and Declaratory Ruling concludes the Commission's longstanding efforts to relocate the Broadcast Auxiliary Service (BAS) from the 1990–2110 MHz band to the 2025–2110 MHz band, freeing up 35 megahertz of spectrum in order to foster the development of new and innovative services. This decision addresses the outstanding matter of Sprint Nextel Corporation's (Sprint Nextel) inability to agree with Mobile Satellite Service (MSS) operators in the band on the sharing of the costs to relocate the BAS incumbents. To resolve this controversy, the Commission applied its time-honored relocation principles for emerging technologies previously adopted for the BAS band to the instant relocation process, where delays and unanticipated developments have left ambiguities and misconceptions among the relocating parties. In the process, the Commission balances the responsibilities for and benefits of relocating incumbent BAS operations among all the new entrants in the different services that will operate in the band. The Commission proposed to modify its cost-sharing requirements for the 2 GHz BAS band because the circumstances surrounding the BAS transition are very different than what was expected when the cost-sharing requirements were adopted. The Commission believed that the best course of action was to propose new requirements that would address the ambiguity of applying the literal

language of the current requirements to the changed circumstances, as well as balance the responsibilities for and benefits of relocating incumbent BAS operations among all new entrants in the band based on the Commission's relocation policies set forth in the Emerging Technologies proceeding. The Commission proposed to eliminate, as of January 1, 2009, the requirement that Broadcast Auxiliary Service (BAS) licensees in the 30 largest markets and fixed BAS links in all markets be transitioned before the Mobile Satellite Service (MSS) operators can begin offering service. The Commission also sought comments on how to mitigate interference between new MSS entrants and incumbent BAS licensees who had not completed relocation before the MSS entrants begin offering service. In addition, the Commission sought comments on allowing MSS operators to begin providing service in those markets where BAS incumbents have been transitioned. In the Further Notice of Proposed Rule Making the Commission proposed to modify its cost sharing requirements for the 2 GHz BAS band because the circumstances surrounding the BAS transition are very different than what was expected when the cost sharing requirements were adopted. The Commission believes that the best course of action is to propose new requirements that will address the ambiguity of applying the literal language of the current requirements to the changed circumstances, as well as balance the responsibilities for and benefits of relocating incumbent BAS operations among all new entrants in the band based on the Commission's relocation policies set forth in the Emerging Technologies proceeding.

Timetable:

Action	Date	FR Cite
NPRM	01/23/01	66 FR 7438
NPRM Comment Period End.	03/09/01	
Final Report	04/11/01	66 FR 18740
FNPRM	09/13/01	66 FR 47618
MO&O	09/13/01	66 FR 47591
First R&O	10/25/01	66 FR 53973
Petition for Reconsideration.	11/02/01	66 FR 55666
Second R&O	01/24/03	68 FR 3455
Third NPRM	03/13/03	68 FR 12015
Seventh R&O	12/29/04	69 FR 7793
Petition for Reconsideration.	04/13/05	70 FR 19469
Eighth R&O	10/26/05	70 FR 61742
Order	10/26/05	70 FR 61742
NPRM	10/26/05	70 FR 61752
Public Notice	12/14/05	70 FR 74011
Ninth R&O and Order.	05/24/06	71 FR 29818
Petition for Reconsideration.	07/19/06	71 FR 41022
FNPRM	03/31/08	73 FR 16822
R&O and NPRM	06/23/09	74 FR 29607
FNPRM	06/23/09	74 FR 29607
5th R&O, 11th R&O, 6th R&O, and Declaratory Ruling.	11/02/10	75 FR 67227
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Rodney Small, Economist, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2452, *Fax:* 202 418–1944, *Email: rodney.small@fcc.gov*.

RIN: 3060–AH65

294. Exposure to Radiofrequency Electromagnetic Fields

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 302 and 303; 47 U.S.C. 309(j); 47 U.S.C. 336

Abstract: In the Report and Order the Federal Communications Commission (Commission) resolved several issues regarding compliance with its regulations for conducting environmental reviews under the National Environmental Policy Act (NEPA) as they relate to the guidelines for human exposure to RF electromagnetic fields. More specifically, the Commission clarifies evaluation procedures and references to determine compliance with its limits, including specific absorption rate (SAR) as a primary metric for compliance, consideration of the pinna (outer ear) as an extremity, and measurement of medical implant exposure. The Commission also elaborates on mitigation procedures to ensure compliance with its limits, including labeling and other requirements for occupational exposure classification, clarification of compliance responsibility at multiple transmitter sites, and labeling of fixed consumer transmitters.

Timetable:

Action	Date	FR Cite
NPRM	09/08/03	68 FR 52879
NPRM Comment Period End.	12/08/03	
R&O	06/04/13	78 FR 33634
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Ira Keltz, Electronics Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0616, *Fax:* 202 418–1944, *Email: ikeltz@fcc.gov*.

RIN: 3060–AI17

295. Unlicensed Operation in the TV Broadcast Bands (ET Docket No. 04–186)

Legal Authority: 47 U.S.C. 154(i); 47 U.S.C. 302; 47 U.S.C. 303(e) and 303(f); 47 U.S.C. 303(r); 47 U.S.C. 307

Abstract: The Commission adopted rules to allow unlicensed radio transmitters to operate in the broadcast television spectrum at locations where that spectrum is not being used by licensed services (this unused TV spectrum is often termed ''white spaces''). This action will make a significant amount of spectrum available for new and innovative products and services, including broadband data and other services for businesses and consumers. The actions taken are a conservative first step that includes many safeguards to prevent harmful interference to incumbent communications services. Moreover, the Commission will closely oversee the development and introduction of these devices to the market and will take whatever actions may be necessary to avoid, and if necessary, correct any interference that may occur. The Second Memorandum Opinion and Order finalizes rules to make the unused spectrum in the TV bands available for unlicensed broadband wireless devices. This particular spectrum has excellent propagation characteristics that allow signals to reach farther and penetrate walls and other structures. Access to this spectrum could enable more powerful public Internet connections—super Wi-Fi hot spots—with extended range, fewer dead spots, and improved individual speeds as a result of reduced congestion on existing networks. This type of ''opportunistic use'' of spectrum has great potential for enabling access to other spectrum bands and improving spectrum efficiency. The Commission's actions here are expected to spur investment and innovation in applications and devices that will be used not only in the TV band, but eventually in other frequency bands as well. This Order addressed five petitions for reconsideration of the Commission's decisions in the Second Memorandum Opinion and Order (''Second MO&O'') in this proceeding and modified rules in certain respects. In particular, the Commission: (1) Increased the maximum height above average terrain (HAAT) for sites where fixed devices may operate; (2) modified the adjacent channel emission limits to

specify fixed rather than relative levels; and (3) slightly increased the maximum permissible power spectral density (PSD) for each category of TV bands device. These changes will result in decreased operating costs for fixed TVBDs and allow them to provide greater coverage, thus increasing the availability of wireless broadband services in rural and underserved areas without increasing the risk of interference to incumbent services. The Commission also revised and amended several of its rules to better effectuate the Commission's earlier decisions in this docket and to remove ambiguities.

Timetable:

Action	Date	FR Cite
NPRM	06/18/04	69 FR 34103
First R&O	11/17/06	71 FR 66876
FNPRM	11/17/06	71 FR 66897
R&O and MO&O	02/17/09	74 FR 7314
Petitions for Reconsideration.	04/13/09	74 FR 16870
Second MO&O	12/06/10	75 FR 75814
Petitions for Reconsideration.	02/09/11	76 FR 7208
3rd MO&O and Order.	05/17/12	77 FR 28236
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Hugh Van Tuyl, Electronics Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7506, *Fax:* 202 418–1944, *Email: hugh.vantuyl@fcc.gov.*

RIN: 3060–AI52

296. Fixed and Mobile Services in the Mobile Satellite Service (ET Docket No. 10–142)

Legal Authority: 47 U.S.C. 154(i) and 301; 47 U.S.C. 303(c) and 303(f); 47 U.S.C. 303(r) and 303(y); 47 U.S.C. 310

Abstract: The Notice of Proposed Rulemaking proposed to take a number of actions to further the provision of terrestrial broadband services in the MSS bands. In the 2 GHz MSS band, the Commission proposed to add co-primary Fixed and Mobile allocations to the existing Mobile-Satellite allocation. This would lay the groundwork for providing additional flexibility in use of the 2 GHz spectrum in the future. The Commission also proposed to apply the terrestrial secondary market spectrum leasing rules and procedures to transactions involving terrestrial use of the MSS spectrum in the 2 GHz, Big LEO, and L-bands in order to create greater certainty and regulatory parity with bands licensed for terrestrial broadband service. The Commission also asked, in a notice of inquiry, about approaches for creating opportunities for full use of the 2 GHz band for standalone terrestrial uses. The Commission requested comment on ways to promote innovation and investment throughout the MSS bands while also ensuring market-wide mobile satellite capability to serve important needs like disaster recovery and rural access.

In the Report and Order, the Commission amended its rules to make additional spectrum available for new investment in mobile broadband networks while also ensuring that the United States maintains robust mobile satellite service capabilities. First, the Commission adds co-primary Fixed and Mobile allocations to the Mobile Satellite Service (MSS) 2 GHz band, consistent with the International Table of Allocations, allowing more flexible use of the band, including for terrestrial broadband services, in the future. Second, to create greater predictability and regulatory parity with the bands licensed for terrestrial mobile broadband service, the Commission extends its existing secondary market spectrum manager spectrum leasing policies, procedures, and rules that currently apply to wireless terrestrial services to terrestrial services provided using the Ancillary Terrestrial Component (ATC) of an MSS system. Petitions for Reconsideration have been filed in the Commission's rulemaking proceeding concerning Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525–1559 MHz and 1626.5–1660.5 MHz, 1610–1626.5 MHz and 2483.5–2500 MHz, and 2000–2020 MHz and 2180–2200 MHz, and published pursuant to 47 CFR 1.429(e). See 1.4(b)(1) of the Commission's rules.

Timetable:

Action	Date	FR Cite
NPRM	08/16/10	75 FR 49871
NPRM Comment Period End.	09/15/10	
Reply Comment Period End.	09/30/10	
R&O	05/31/11	76 FR 31252
Petitions for Reconsideration.	08/10/11	76 FR 49364
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Nicholas Oros, Electronics Engineer, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0636, *Email: nicholas.oros@fcc.gov.*

RIN: 3060–AJ46

297. Innovation in the Broadcast Television Bands (ET Docket No. 10–235)

Legal Authority: 47 U.S.C. 154(i); 47 U.S.C. 301; 47 U.S.C. 302; 47 U.S.C. 303(e); 47 U.S.C. 303(f); 47 U.S.C. 303(r)

Abstract: The Commission initiated this proceeding to further its ongoing commitment to address America's growing demand for wireless broadband services, spur innovation and investment in mobile technology, and ensure that America keeps pace with the global wireless revolution by making a significant amount of new spectrum available for broadband. The approach proposed is consistent with the goal set forth in the National Broadband Plan (the Plan) to repropose up to 120 megahertz from the broadcast television bands for new wireless broadband uses through, in part, voluntary contributions of spectrum to an incentive auction. Reallocation of this spectrum as proposed will provide the necessary flexibility for meeting the requirements of these new applications.

In the Report and Order, the Commission took preliminary steps toward making a significant portion of the UHF and VHF frequency bands (U/V Bands) currently used by the broadcast television service available for new uses. This action serves to further address the Nation's growing demand for wireless broadband services, promote the ongoing innovation and investment in mobile communications, and ensure that the United States keeps pace with the global wireless revolution. At the same time, the approach helps preserve broadcast television as a healthy, viable medium and would be consistent with the general proposal set forth in the National Broadband Plan to repurpose spectrum from the U/V bands for new wireless broadband uses through, in part, voluntary contributions of spectrum to an incentive auction. This action is consistent with the recent enactment by Congress of new incentive auction authority for the Commission (Spectrum Act). Specifically, this item sets out a framework by which two or more television licensees may share a single six MHz channel in connection with an incentive auction. However, the Report and Order did not act on the proposals in the Notice of Proposed Rulemaking to establish fixed and mobile allocations in the U/V bands or to improve TV service on VHF channels. The Report and Order stated that the Commission will undertake a broader rulemaking to implement the Spectrum Act's provisions relating to an incentive auction for U/V band spectrum, and that

it believes it will be more efficient to act on new allocations in the context of that rulemaking. In addition, the record created in response to the Notice of Proposed Rulemaking does not establish a clear way forward to increase the utility of the VHF bands significantly for the operation of television services. The Report and Order states that the Commission will revisit this matter in a future proceeding.

Timetable:

Action	Date	FR Cite
NPRM	02/01/11	76 FR 5521
NPRM Comment Period End.	03/18/11	
R&O	05/23/12	77 FR 30423
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Alan Stillwell, Deputy Chief, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2925, *Email: alan.stillwell@fcc.gov.*

RIN: 3060–AJ57

298. Radio Experimentation and Market Trials Under Part 5 of the Commission's Rules and Streamlining Other Related Rules (ET Docket No. 10–236)

Legal Authority: 47 U.S.C. 154(i); 47 U.S.C. 301 and 303

Abstract: The Commission initiated this proceeding to promote innovation and efficiency in spectrum use in the Experimental Radio Service (ERS). For many years, the ERS has provided fertile ground for testing innovative ideas that have led to new services and new devices for all sectors of the economy. The Commission proposed to leverage the power of experimental radio licensing to accelerate the rate at which these ideas transform from prototypes to consumer devices and services. Its goal is to inspire researchers to dream, discover, and deliver the innovations that push the boundaries of the broadband ecosystem. The resulting advancements in devices and services available to the American public and greater spectrum efficiency over the long term will promote economic growth, global competitiveness, and a better way of life for all Americans.

In the Report and Order (R&O), the Commission revised and streamlined its rules to modernize the Experimental Radio Service (ERS). The rules adopted in the R&O updated the ERS to a more flexible framework to keep pace with the speed of modern technological change while continuing to provide an environment where creativity can thrive. To accomplish this transition, the Commission created three new types of ERS licenses—the program license, the medical testing license, and the compliance testing license—to benefit the development of new technologies, expedite their introduction to the marketplace, and unleash the full power of innovators to keep the United States at the forefront of the communications industry. The Commission's actions also modified the market trial rules to eliminate confusion and more clearly articulate its policies with respect to marketing products prior to equipment certification. The Commission believes that these actions will remove regulatory barriers to experimentation, thereby permitting institutions to move from concept to experimentation to finished product more rapidly and to more quickly implement creative problem-solving methodologies.

Timetable:

Action	Date	FR Cite
NPRM	02/08/11	76 FR 6928
NPRM Comment Period End.	03/10/11	
R&O	04/29/13	78 FR 25138
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Nnake Nweke, Chief, Experimental Licensing Branch, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0785, *Email: nnake.nweke@fcc.gov.*

RIN: 3060–AJ62

299. Operation of Radar Systems in the 76–77 GHz Band (ET Docket No. 11–90)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154(i); 47 U.S.C. 301; 47 U.S.C. 302; 47 U.S.C. 303(f)

Abstract: The Commission proposed to amend its rules to enable enhanced vehicular radar technologies in the 76–77 GHz band to improve collision avoidance and driver safety. Vehicular radars can determine the exact distance and relative speed of objects in front of, beside, or behind a car to improve the driver's ability to perceive objects under bad visibility conditions or objects that are in blind spots. These modifications to the rules will provide more efficient use of spectrum, and enable the automotive and fixed radar application industries to develop enhanced safety measures for drivers and the general public. The Commission takes this action in response to petitions for rulemaking filed by Toyota Motor Corporation (''TMC'') and Era Systems Corporation (''Era''). The Report and Order amends the Commission's rules to provide a more efficient use of the 76–77 GHz band, and to enable the automotive and aviation industries to develop enhanced safety measures for drivers and the general public. Specifically, the Commission eliminated the in-motion and not-in-motion distinction for vehicular radars, and instead adopted new uniform emission limits for forward, side, and rear-looking vehicular radars. This will facilitate enhanced vehicular radar technologies to improve collision avoidance and driver safety. The Commission also amended its rules to allow the operation of fixed radars at airport locations in the 76–77 GHz band for purposes of detecting foreign object debris on runways and monitoring aircraft and service vehicles on taxiways and other airport vehicle service areas that have no public vehicle access. The Commission took this action in response to petitions for rulemaking filed by Toyota Motor Corporation (''TMC'') and Era Systems Corporation (''Era''). Petitions for Reconsideration were filed by Navtech Radar, Ltd. and Honeywell International Inc.

Navtech Radar, Ltd. and Honeywell International, Inc., filed petitions for reconsideration in response to the *Vehicular Radar R&O* that modified the Commission's Part 15 rules to permit vehicular radar technologies and airport-based fixed radar applications in the 76–77 GHz band.

The Commission denied Honeywell's petition. Section 1.429(b) of the Commission's rules provides three ways in which a petition for reconsideration can be granted, and none of these have been met. Honeywell has not shown that its petition relies on facts regarding fixed radar use which had not previously been presented to the Commission, nor does it show that its petition relies on facts that relate to events that changed since Honeywell had the last opportunity to present its facts regarding fixed radar use.

The Commission stated in the Vehicular Radar R&O, ''that no parties have come forward to support fixed radar applications beyond airport locations in this band,'' and it decided not to adopt provisions for unlicensed fixed radar use other than those for FOD detection applications at airport locations. Because Navtech first participated in the proceeding when it filed its petition well after the decision was published, its petition fails to meet the timeliness standard of Section 1.429(d).

In connection with the Commission's decision to deny the petitions for reconsideration discussed above, the Commission terminates ET Docket Nos. 10–28 and 11–90 (pertaining to vehicular radar).

Timetable:

Action	Date	FR Cite
NPRM	06/16/11	76 FR 35176
R&O	08/13/12	77 FR 48097
Petition for Reconconsideration.	11/11/12	77 FR 68722
Reconsideration Order.	03/06/15	80 FR 12120
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Aamer Zain, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2437, *Email: aamer.zain@fcc.gov.*

RIN: 3060–AJ68

300. WRC–07 Implementation (ET Docket No. 12–338)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 301; 47 U.S.C. 302(a); 47 U.S.C. 303

Abstract: In the Notice of Proposed Rulemaking (NPRM), the Commission proposed to amend parts 1, 2, 74, 78, 87, 90, and 97 of its rules to implement allocation decisions from the World Radiocommunication Conference (Geneva, 2007) (WRC 07) concerning portions of the radio frequency (RF) spectrum between 108 MHz and 20.2 GHz and to make certain updates to its rules in this frequency range. The NPRM follows the Commission's July 2010 WRC–07 Table Clean-up Order, 75 FR 62924, October 13, 2010, which made certain non-substantive, editorial revisions to the Table of Frequency Allocations (Allocation Table) and to other related rules. The Commission also addressed the recommendations for implementation of the WRC–07 Final Acts that the National Telecommunications and Information Administration (NTIA) submitted to the Commission in August 2009. As part of its comprehensive review of the Allocation Table, the Commission also proposed to make allocation changes that are not related to the WRC–07 Final Acts and update certain service rules, and requested comment on other allocation issues that concern portions of the RF spectrum between 137.5 kHz and 54.25 GHz.

Timetable:

Action	Date	FR Cite
NPRM	12/27/12	77 FR 76250
NPRM Comment Period End.	02/25/13	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Tom Mooring, Electronics Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2450, *Fax:* 202 418–1944, *Email: tom.mooring@fcc.gov.*

RIN: 3060–AJ93

301. Federal Earth Stations–Non Federal Fixed Satellite Service Space Stations; Spectrum for Non-Federal Space Launch Operations; ET Docket No. 13–115

Legal Authority: 47 U.S.C. 154; 47 U.S.C. 302(a); 47 U.S.C. 303; 47 U.S.C. 336

Abstract: The Notice of Proposed Rulemaking proposes to make spectrum allocation proposals for three different space related purposes. The Commission makes two alternative proposals to modify the Allocation Table to provide interference protection for Fixed-Satellite Service (FSS) and Mobile-Satellite Service (MSS) earth stations operated by Federal agencies under authorizations granted by the National Telecommunications and Information Administration (NTIA) in certain frequency bands. The Commission also proposes to amend a footnote to the Allocation Table to permit a Federal MSS system to operate in the 399.9–400.05 MHz band; it also makes alternative proposals to modify the Allocation Table to provide access to spectrum on an interference protected basis to Commission licensees for use during the launch of launch vehicles (*i.e.* rockets). The Commission also seeks comment broadly on the future spectrum needs of the commercial space sector. The Commission expects that, if adopted, these proposals would advance the commercial space industry and the important role it will play in our Nation's economy and technological innovation now and in the future.

Timetable:

Action	Date	FR Cite
NPRM	07/01/13	78 FR 39200
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Nicholas Oros, Electronics Engineer, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0636, *Email: nicholas.oros@fcc.gov.*

RIN: 3060–AK09

302. Authorization of Radiofrequency Equipment; ET Docket No. 13–44

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 157(a); 47 U.S.C. 301; 47 U.S.C. 303(f); 47 U.S.C. 303(g); 47 U.S.C. 303(r); 47 U.S.C. 307(e); 47 U.S.C. 332

Abstract: The Commission is responsible for an equipment authorization program for radiofrequency (RF) devices under part 2 of its rules. This program is one of the primary means that the Commission uses to ensure that the multitude of RF devices used in the United States operate effectively without causing harmful interference and otherwise comply with the Commission rules. All RF devices subject to equipment authorization must comply with the Commission's technical requirement before they can be imported or marketed. The Commission or a Telecommunication Certification Body (TCB) must approve some of these devices before they can be imported or marketed, while others do not require such approval. The Commission last comprehensively reviewed its equipment authorization program more than 10 years ago. The rapid innovation in equipment design since that time has led to ever-accelerating growth in the number of parties applying for equipment approval. The Commission therefore believes that the time is now right for us to comprehensively review our equipment authorization processes to ensure that they continue to enable this growth and innovation in the wireless equipment market. In May of 2012, the Commission began this reform process by issuing an Order to increase the supply of available grantee codes. With this Notice of Proposed Rulemaking (NPRM), the Commission continues its work to review and reform the equipment authorization processes and rules. This Notice of Proposed Rulemaking proposes certain changes to the Commission's part 2 equipment authorization processes to ensure that they continue to operate efficiently and effectively. In particular, it addresses the role of TCBs in certifying RF equipment and post-market surveillance, as well as the Commission's role in assessing TCB performance. The NPRM also addressed the role of test laboratories in the RF equipment approval process, including

accreditation of test labs and the Commission's recognition of laboratory accreditation bodies, and measurement procedures used to determine RF equipment compliance. Finally, it proposes certain modifications to the rules regarding TCBs that approve terminal equipment under part 68 of the rules that are consistent with our proposed modifications to the rules for TCBs that approve RF equipment. Specifically, the Commission proposes to recognize the National Institute for Standards and Technology (NIST) as the organization that designates TCBs in the United States and to modify the rules to reference the current International Organization for Standardization and International Electrotechnical Commission (ISO/IEC) guides used to accredit TCBs.

Timetable:

Action	Date	FR Cite
NPRM	05/03/13	78 FR 25916
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Hugh Van Tuyl, Electronics Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7506, *Fax:* 202 418–1944, *Email: hugh.vantuyl@fcc.gov*.

RIN: 3060–AK10

303. • Operation of Radar Systems in the 76–77 GHz Band (ET Docket No. 15–26)

Legal Authority: 47 U.S.C. 1; 47 U.S.C. 4(i); 47 U.S.C. 154(i); 47 U.S.C. 302; 47 U.S.C. 303(f); 47 U.S.C. 303(r); 47 U.S.C. 332; 47 U.S.C. 337

Abstract: The Notice of Proposed Rulemaking proposes to authorize radar applications in the 76–81 GHz band. The Commission seeks to develop a flexible and streamlined regulatory framework that will encourage efficient, innovative uses of the spectrum and to allow various services to operate on an interference-protected basis. In doing so, it further seeks to adopt service rules that will allow for the deployment of the various radar applications in this band, both within and outside the U.S. The Commission takes this action in response to a petition for rulemaking filed by Robert Bosch, LLC (Bosch) and two petitions for reconsideration of the 2012 Vehicular Radar R&O.

Timetable:

Action	Date	FR Cite
NPRM	03/06/15	80 FR 12120
NPRM Comment Period End.	04/06/15	
NPRM Reply Comment Period End.	04/20/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Aamer Zain, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2437, *Email: aamer.zain@fcc.gov*.

RIN: 3060–AK29

304. • Spectrum Access For Wireless Microphone Operations (GN Docket Nos. 14–166 AND 12–268)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 157(a); 47 U.S.C. 301; 47 U.S.C. 303(f); 47 U.S.C. 303(g); 47 U.S.C. 303(r); 47 U.S.C. 307(e); 47 U.S.C. 332

Abstract: The Notice of Proposed Rule Making initiates a proceeding to address how to accommodate the long-term needs of wireless microphone users. Wireless microphones play an important role in enabling broadcasters and other video programming networks to serve consumers, including as they cover breaking news and broadcast live sports events. They enhance event productions in a variety of settings including theaters and music venues, film studios, conventions, corporate events, houses of worship, and internet webcasts. They also help create high quality content that consumers demand and value. Recent actions by the Commission, and in particular the repurposing of broadcast television band spectrum for wireless services set forth in the Incentive Auction R&O, will significantly alter the regulatory environment in which wireless microphones operate, which necessitates our addressing how to accommodate wireless microphone users in the future.

Timetable:

Action	Date	FR Cite
NPRM	11/21/14	79 FR 69387
NPRM Comment Period End.	01/05/15	
NPRM Reply Comment Period End.	01/26/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Paul Murray, Attorney Advisor, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0688, *Fax:* 202 418–7447, *Email: paul.murray@fcc.gov*.

RIN: 3060–AK30

FEDERAL COMMUNICATIONS COMMISSION (FCC)

International Bureau

Long-Term Actions

305. Space Station Licensing Reform (IB Docket No. 02–34)

Legal Authority: 47 U.S.C. 154(i); 47 U.S.C. 157; 47 U.S.C. 303(c); 47 U.S.C. 303(g)

Abstract: The Commission adopted a Notice of Proposed Rulemaking (NPRM) to streamline its procedures for reviewing satellite license applications. Before 2003, the Commission used processing rounds to review those applications. In a processing round, when an application is filed, the International Bureau (Bureau) issued a Public Notice establishing a cutoff date for other mutually exclusive satellite applications, and then considered all those applications together. In cases where sufficient spectrum to accommodate all the applications was not available, the Bureau directed the applicants to negotiate a mutually agreeable solution. Those negotiations took a long time, and delayed provision of satellite services to the public. The NPRM invited comment on two alternatives for expediting the satellite application process. One alternative was to replace the processing round procedure with a ''first-come, first-served'' procedure that would allow the Bureau to issue a satellite license to the first party filing a complete, acceptable application. The other alternative was to streamline the processing round procedure by adopting one or more of the following proposals: (1) Place a time limit on negotiations; (2) establish criteria to select among competing applicants; (3) divide the available spectrum evenly among the applicants. In the First Report and Order in this proceeding, the Commission determined that different procedures were better suited for different kinds of satellite applications. For most geostationary orbit (GSO) satellite applications, the Commission adopted a first-come, first-served approach. For most non-geostationary orbit (NGSO) satellite applications, the Commission adopted a procedure in which the available spectrum is divided evenly among the qualified applicants. The Commission

also adopted measures to discourage applicants from filing speculative applications, including a bond requirement, payable if a licensee misses a milestone. The bond amounts originally were $5 million for each GSO satellite, and $7.5 million for each NGSO satellite system. These were interim amounts. Concurrently with the First Report and Order, the Commission adopted an FNPRM to determine whether to revise the bond amounts on a long-term basis. In the Second Report and Order, the Commission adopted a streamlined procedure for certain kinds of satellite license modification requests. In the Third Report and Order, the Commission adopted a standardized application form for satellite licenses, and adopted a mandatory electronic filing requirement for certain satellite applications. In the Fourth Report and Order, the Commission revised the bond amounts based on the record developed in response to FNPRM. The bond amounts are now $3 million for each GSO satellite, and $5 million for each NGSO satellite system.

Timetable:

Action	Date	FR Cite
NPRM	03/19/02	67 FR 12498
NPRM Comment Period End.	07/02/02	
Second R&O (Release Date).	06/20/03	68 FR 62247
Second FNPRM (Release Date).	07/08/03	68 FR 53702
Third R&O (Release Date).	07/08/03	68 FR 63994
FNPRM	08/27/03	68 FR 51546
First R&O	08/27/03	68 FR 51499
FNPRM Comment Period End.	10/27/03	
Fourth R&O (Release Date).	04/16/04	69 FR 67790
Fifth R&O, First Order on Reconsideration.	08/20/04	69 FR 51586
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Clay DeCell, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0803, *Email: clay.decell@fcc.gov*.

RIN: 3060–AH98

306. Reporting Requirements for U.S. Providers of International Telecommunications Services (IB Docket No. 04–112)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 161; 47 U.S.C. 201 to 205; * * *

Abstract: The FCC is reviewing the reporting requirements to which entities providing U.S.-international service are subject under 47 CFR part 43. The FCC adopted a First Report and Order that eliminated certain of those requirements. Specifically, it eliminated the quarterly reporting requirements for large carriers and foreign-affiliated switch resale carriers, 47 CFR 43.61(b) and (c); the circuit addition report, 47 CFR 63.23(e); the division of telegraph tolls report, 47 CFR 43.53; and the requirement to report separately for U.S. offshore points, 43.61(a), 48.82(a). The FCC adopted the Second Report and Order that made additional reforms to streamline further and modernize the reporting requirements, including requiring that entities providing international calling service via Voice over Internet Protocol (VoIP) connected to the public switched telephone network (PSTN) to submit data regarding their provision of international telephone service. The Voice on the Net Coalition (VON Coalition) filed a petition requesting that they reconsider requiring VoIP providers from reporting their international traffic and revenues.

Timetable:

Action	Date	FR Cite
NPRM	04/12/04	69 FR 29676
First R&O	05/12/11	76 FR 42567
FNPRM	05/12/11	76 FR 42613
FNPRM Comment Period End.	09/02/11	
Second R&O	01/15/13	78 FR 15615
Petition for Reconsideration.	07/01/13	78 FR 39232
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: David Krech, Attorney Advisor, Federal Communications Commission, International Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1460, *Fax:* 202 418–2824, *Email: david.krech@fcc.gov*.

RIN: 3060–AI42

307. International Settlements Policy Reform (IB Docket No. 11–80)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154; 47 U.S.C. 201 to 205; 47 U.S.C. 208; 47 U.S.C. 211; 47 U.S.C. 214; 47 U.S.C. 303(r); 47 U.S.C. 309; 47 U.S.C. 403

Abstract: FCC is reviewing the International Settlements Policy (ISP). It governs how U.S. carriers negotiate with foreign carriers for the exchange of international traffic, and is the structure by which the Commission has sought to respond to concerns that foreign carriers with market power are able to take advantage of the presence of multiple U.S. carriers serving a particular market. In the NPRM, the FCC proposes to further deregulate the international telephony market and enable U.S. consumers to enjoy competitive prices when they make calls to international destinations. First, it proposes to remove the ISP from all international routes, except Cuba. Second, the FCC seeks comment on a proposal to enable the Commission to better protect U.S. consumers from the effects of anticompetitive conduct by foreign carriers in instances necessitating Commission intervention. Specifically, it seeks comments on proposals and issues regarding the application of the Commission's benchmarks policy.

Timetable:

Action	Date	FR Cite
NPRM	05/13/11	76 FR 42625
NPRM Comment Period End.	09/02/11	
Report and Order	02/15/13	78 FR 11109
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: James Ball, Chief, Policy Division, International Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0427, *Email: james.ball@fcc.gov*.

RIN: 3060–AJ77

308. Reform of Rules and Policies on Foreign Carrier Entry Into the U.S. Telecommunications Market (IB Docket 12–299)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154(i) to (j); 47 U.S.C. 201 to 205

Abstract: FCC is considering proposed changes in the criteria under which it considers certain applications from foreign carriers or affiliates of foreign carriers for entry into the U.S. market for international telecommunications services. It proposes to eliminate or in the alternative simplify the effective competitive opportunities test (ECO Test) adopted in 1995 for Commission review of foreign carrier applications.

Timetable:

Action	Date	FR Cite
NPRM	11/26/12	77 FR 70400
NPRM Comment Period End.	12/26/12	
NPRM Reply Comment Period End.	01/15/13	
R&O	06/03/14	79 FR 31873

Action	Date	FR Cite
Final Rule (Announcement of Effective Date).	03/03/15	80 FR 11326
Final Rule Effective.	03/03/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Howard Griboff, Deputy Chief, Policy Division, Federal Communications Commission, International Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0657, *Fax:* 202 418–2824, *Email: howard.griboff@fcc.gov*.

RIN: 3060–AJ97

309. Comprehensive Review of Licensing and Operating Rules for Satellite Services (IB Docket No. 12–267)

Legal Authority: 47 U.S.C. 154(i); 47 U.S.C. 157(a); 47 U.S.C. 161; 47 U.S.C. 303(c); 47 U.S.C. 303(g); 47 U.S.C. 303(r)

Abstract: The Commission adopted a Notice of Proposed Rulemaking (NPRM) as part of its ongoing efforts to update and streamline regulatory requirements. The NPRM initiated a comprehensive review of Part 25 of the Commission's rules, which governs the licensing and operation of space stations and earth stations. The Commission proposed amendments to modernize the rules to better reflect evolving technology, to eliminate unnecessary technical and information filing requirements, and to reorganize and simplify existing requirements. In the ensuing Report and Order, the Commission adopted most of its proposed changes and revised over 150 rule provisions. Several proposals raised by commenters in the proceeding, however, were not within the scope of the original NPRM. To address these and other issues, the Commission released a Further Notice of Proposed Rulemaking (FNPRM). The FNPRM proposes additional rule changes to facilitate international coordination of proposed satellite networks, to revise system implementation milestones and the associated bond, and to expand the applicability of routine licensing standards.

Timetable:

Action	Date	FR Cite
NPRM	11/08/12	77 FR 67172
NPRM Comment Period End.	12/24/12	
Reply Comment Period End.	01/22/13	
Report and Order	02/12/14	79 FR 8308
FNPRM Comment Period End.	03/02/14	
FNPRM	10/21/14	79 FR 65106
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Clay DeCell, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0803, *Email: clay.decell@fcc.gov*.

RIN: 3060–AJ98

310. Expanding Broadband and Innovation Through Air-Ground Mobile Broadband Secondary Service for Passengers Aboard Aircraft in the 14.0–14.5 GHz Band; GN Docket No. 13–114

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154(i); 47 U.S.C. 301; 47 U.S.C. 302; 47 U.S.C. 303; 47 U.S.C. 324

Abstract: In this docket, the Commission establishes a secondary allocation for the Aeronautical Mobile Service in the 14.0–14.5 GHz band and establishes service, technical, and licensing rules for air-ground mobile broadband. The Notice of Proposed Rulemaking requests public comment on a secondary allocation and service, technical, and licensing rules for air-ground mobile broadband.

Timetable:

Action	Date	FR Cite
NPRM (Release Date).	05/09/13	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Sean O'More, Attorney Advisor, Federal Communications Commission, International Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2453, *Email: sean.omore@fcc.gov.*

RIN: 3060–AK02

311. Terrestrial Use of the 2473–2495 MHz Band for Low-Power Mobile Broadband Networks; Amendments to Rules of Mobile Satellite Service System; IB Docket No. 13–213

Legal Authority: Not Yet Determined

Abstract: In this docket, the Commission proposes modified rules for the operation of the Ancillary Terrestrial Component of the single Mobile-Satellite Service system operating in the Big GEO S band. The changes would allow Globalstar, Inc. to deploy a low power broadband network using its licensed spectrum at 2483.5–2495 MHz under certain limited technical criteria, and with the same equipment utilize spectrum in the adjacent 2473–2483.5 MHz band, pursuant to technical rules for unlicensed operations in that band.

Timetable:

Action	Date	FR Cite
NPRM	02/19/14	79 FR 9445
NPRM Comment Period End.	05/05/14	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Lynne Montgomery, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2229, *Email: lynne.montgomery@fcc.gov.*

RIN: 3060–AK16

FEDERAL COMMUNICATIONS COMMISSION (FCC)

International Bureau

Completed Actions

312. Revisions to Parts 2 and 25 of the Commission's Rules To Govern the Use of Earth Stations Aboard Aircraft (IB Docket No. 12–376)

Legal Authority: 47 U.S.C. 154(i) and (j); 47 U.S.C. 157(a); 47 U.S.C. 302(a); 47 U.S.C. 303(c), (e), (f), (g), (j), (r) and (y)

Abstract: In this docket, the Commission provides for the efficient licensing of two-way in-flight broadband services, including Internet access, to passengers and flight crews aboard commercial airliners and private aircraft. The Report and Order establishes technical and licensing rules for Earth Stations Aboard Aircraft (ESAA), *i.e.,* Earth stations on aircraft communicating with Fixed-Satellite Service (FSS) geostationary-orbit (GSO) space stations operating in the 10.95–11.2 GHz, 11.45–11.7 GHz, 11.7–12.2 GHz (space-to-Earth or downlink) and 14.0–14.5 GHz (Earth-to-space or uplink) frequency bands. The Notice of Proposed Rulemaking requests comment on a proposal to elevate the allocation status of ESAA in the 14.0–14.5 GHz band from secondary to primary, which would make the ESAA allocation equal to the allocations of Earth Stations on Vessels (ESV) and Vehicle-Mounted Earth Stations (VMES).

Timetable:

Action	Date	FR Cite
NPRM	04/20/05	70 FR 20508

Action	Date	FR Cite
R&O	03/08/13	78 FR 14920
NPRM	03/18/13	78 FR 14952
NPRM Comment Period End.	06/21/13	
2nd R&O and Order on Reconsideration.	05/12/14	79 FR 26863

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Howard Griboff, Deputy Chief, Policy Division, Federal Communications Commission, International Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0657, *Fax:* 202 418–2824, *Email: howard.griboff@fcc.gov.*

RIN: 3060–AJ96

FEDERAL COMMUNICATIONS COMMISSION (FCC)

Media Bureau

Long-Term Actions

313. Broadcast Ownership Rules

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152(a); 47 U.S.C. 154(i); 47 U.S.C. 303; 47 U.S.C. 307; 47 U.S.C. 309 and 310

Abstract: Section 202(h) of the Telecommunications Act of 1996 requires the Commission to review its ownership rules every four years and determine whether any such rules are necessary in the public interest as the result of competition. In 2002, the Commission undertook a comprehensive review of its broadcast multiple and cross-ownership limits examining: Cross-ownership of TV and radio stations; local TV ownership limits; national TV cap; and dual network rule. The Report and Order replaced the newspaper/broadcast cross-ownership and radio and TV rules with a tiered approach based on the number of television stations in a market. In June 2006, the Commission adopted a Further Notice of Proposed Rulemaking initiating the 2006 review of the broadcast ownership rules. The further notice also sought comment on how to address the issues raised by the Third Circuit. Additional questions are raised for comment in a Second Further Notice of Proposed Rulemaking. In the Report and Order and Order on Reconsideration, the Commission adopted rule changes regarding newspaper/broadcast cross-ownership, but otherwise generally retained the other broadcast ownership rules currently in effect. For the 2010 quadrennial review, five of the Commission's media rules are the subject of review: The local TV ownership rule; the local radio ownership rule; the newspaper broadcast cross-ownership rule; the radio/TV cross-ownership rule; and the dual network rule.

In the 2014 review, the Commission incorporated the record of the 2010 review, and sought additional data on market conditions and competitive indicators. The Commission also sought comment on whether to eliminate restrictions on newspaper/radio combined ownership and whether to eliminate the radio/television cross-ownership rule in favor of reliance on the local radio rule and the local television rule.

Timetable:

Action	Date	FR Cite
NPRM	10/05/01	66 FR 50991
R&O	08/05/03	68 FR 46286
Public Notice	02/19/04	69 FR 9216
FNPRM	08/09/06	71 FR 4511
Second FNPRM	08/08/07	72 FR 44539
R&O and Order on Reconsideration.	02/21/08	73 FR 9481
Notice of Inquiry	06/11/10	75 FR 33227
NPRM	01/19/12	77 FR 2868
NPRM Comment Period End.	03/19/12	
FNPRM	05/20/14	79 FR 29010
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Hillary DeNigro, Chief, Industry Analysis Division, Media Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7334, *Email: hillary.denigro@fcc.gov.*

RIN: 3060–AH97

314. Establishment of Rules for Digital Low-Power Television, Television Translator, and Television Booster Stations (MB Docket No. 03–185)

Legal Authority: 47 U.S.C. 309; 47 U.S.C. 336

Abstract: This proceeding initiates the digital television conversion for low-power television (LPTV) and television translator stations. The rules and policies adopted as a result of this proceeding provide the framework for these stations' conversion from analog to digital broadcasting. The Report and Order adopts definitions and permissible use provisions for digital TV translator and LPTV stations. The Second Report and Order takes steps to resolve the remaining issues in order to complete the low-power television digital transition. The third Notice of Proposed Rulemaking seeks comment on a number of issues related to the potential impact of the incentive auction and the repacking process.

Timetable:

Action	Date	FR Cite
NPRM	09/26/03	68 FR 55566
NPRM Comment Period End.	11/25/03	
R&O	11/29/04	69 FR 69325
FNPRM and MO&O.	10/18/10	75 FR 63766
2nd R&O	07/07/11	76 FR 44821
3rd NPRM	11/28/14	79 FR 70824
NPRM Comment Period End.	12/29/14	
NPRM Comment Period End.	12/29/14	
NPRM Reply Comment Period End.	01/12/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Shaun Maher, Attorney, Video Division, Federal Communications Commission, Mass Media Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2324, *Fax:* 202 418–2827, *Email: shaun.maher@fcc.gov.*

RIN: 3060–AI38

315. Joint Sales Agreements in Local Television Markets (MB Docket No. 04–256)

Legal Authority: 47 U.S.C. 151 to 152(a); 47 U.S.C. 154(i); 47 U.S.C. 303; * * *

Abstract: A joint sales agreement (JSA) is an agreement with a licensee of a brokered station that authorizes a broker to sell some or all of the advertising time for the brokered station in return for a fee or percentage of revenues paid to the licensee. The Commission has sought comment on whether TV JSAs should be attributed for purposes of determining compliance with the Commission's multiple ownership rules.

In 2014, the Commission determined that for the purposes of applying the broadcast ownership rules, a brokered station will be attributed to a same market brokering station if the JSA covers more than 15 percent of the weekly advertising time of the brokered station. The Commission found that television JSAs have the potential to convey significant influence over stations operations.

Timetable:

Action	Date	FR Cite
NPRM	08/26/04	69 FR 52464
NPRM Comment Period End.	09/27/04	

Action	Date	FR Cite
R&O	05/20/14	79 FR 28996
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Hillary DeNigro, Chief, Industry Analysis Division, Media Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7334, *Email: hillary.denigro@fcc.gov*.

RIN: 3060–AI55

316. Promoting Diversification of Ownership in the Broadcast Services (MB Docket No. 07–294)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152(a); 47 U.S.C. 154(i) and (j); 47 U.S.C. 257; 47 U.S.C. 303(r); 47 U.S.C. 307 to 310; 47 U.S.C. 336; 47 U.S.C. 534 and 535

Abstract: Diversity and competition are longstanding and important Commission goals. The measures proposed, as well as those adopted in this proceeding, are intended to promote diversity of ownership of media outlets. In the Report and Order and Third FNPRM, measures are enacted to increase participation in the broadcasting industry by new entrants and small businesses, including minority- and women-owned businesses. In the Report and Order and Fourth FNPRM, the Commission adopts improvements to its data collection in order to obtain an accurate and comprehensive assessment of minority and female broadcast ownership in the United States. The Memorandum Opinion & Order addressed petitions for reconsideration of the rules, and also sought comment on a proposal to expand the reporting requirements to non attributable interests. In 2014, the Commission proposed a new type of FCC registration number for individuals to use on broadcast ownership reports.

Pursuant to a remand from the Third Circuit, the measures adopted in the 2009 Diversity Order were put forth for comment in the NPRM for the 2010 review of the Commission's Broadcast Ownership rules. The Commission sought additional comment in 2014. As directed by the court, the Commission considered a socially and economic disadvantaged business definition as a possible oasis for favorable regulatory treatment.

Timetable:

Action	Date	FR Cite
R&O	05/16/08	73 FR 28361
Third FNPRM	05/16/08	73 FR 28400
R&O	05/27/09	74 FR 25163
Fourth FNPRM	05/27/09	74 FR 25305
MO&O	10/30/09	74 FR 56131
NPRM	01/19/12	77 FR 2868
5th NPRM	01/15/13	78 FR 2934
6th FNPRM	01/15/13	78 FR 2925
FNPRM	05/20/14	79 FR 29010
7th FNPRM	02/26/15	80 FR 10442
Comment Period End.	03/30/15	
Reply Comment Period End.	04/30/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Hillary DeNigro, Chief, Industry Analysis Division, Media Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7334, *Email: hillary.denigro@fcc.gov*.

RIN: 3060–AJ27

317. Amendment of the Commission's Rules Related to Retransmission Consent (MB Docket No. 10–71)

Legal Authority: 47 U.S.C. 154; 47 U.S.C. 325; 47 U.S.C. 534

Abstract: Cable systems and other multichannel video programming distributors are not entitled to retransmit a broadcast station's signal without the station's consent. This consent is known as ''retransmission consent.'' Since Congress enacted the retransmission consent regime in 1992, there have been significant changes in the video programming marketplace. In this proceeding, comment is sought on a series of proposals to streamline and clarify the Commission's rules concerning or affecting retransmission consent negotiations.

In the 2014 Report and Order, the Commission adopted a rule providing that it is a violation of the duty to negotiate retransmission consent in good faith for a television station that is ranked among the top four stations to negotiate retransmission consent jointly with another such station if the stations are not commonly owned and serve the same geographic market.

Timetable:

Action	Date	FR Cite
NPRM	03/28/11	76 FR 17071
NPRM Comment Period End.	05/27/11	
R&O	05/19/14	79 FR 28615
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Diana Sokolow, Attorney, Policy Division, Federal Communications Commission, Media Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2120, *Email: diana.sokolow@fcc.gov*.

RIN: 3060–AJ55

318. Closed Captioning of Internet Protocol-Delivered Video Programming: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010 (MB Docket No. 11–154)

Legal Authority: 47 U.S.C. 154(i); 47 U.S.C. 154(j); 47 U.S.C. 303; 47 U.S.C. 330(b); 47 U.S.C. 613; 47 U.S.C. 617

Abstract: Pursuant to the Commission's responsibilities under the Twenty-First Century Communications and Video Accessibility Act of 2010, this proceeding was initiated to adopt rules to govern the closed captioning requirements for the owners, providers, and distributors of video programming delivered using Internet protocol.

Timetable:

Action	Date	FR Cite
NPRM	09/28/11	76 FR 59963
R&O	03/20/12	77 FR 19480
Order on Recon, FNPRM.	07/02/13	78 FR 39691
2nd Order on Recon.	08/05/14	79 FR 45354
2nd FNPRM	08/05/14	79 FR 45397
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Diana Sokolow, Attorney, Policy Division, Federal Communications Commission, Media Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2120, *Email: diana.sokolow@fcc.gov*.

RIN: 3060–AJ67

319. Accessibility of User Interfaces and Video Programming Guides and Menus (MB Docket No. 12–108)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 303(r); 47 U.S.C. 303(aa); 47 U.S.C. 303(bb)

Abstract: This proceeding was initiated to implement sections 204 and 205 of the Twenty-First Century Communications and Video Accessibility Act. These sections generally require that user interfaces on digital apparatus and navigation devices used to view video programming be accessible to and usable by individuals who are blind or visually impaired.

Timetable:

Action	Date	FR Cite
NPRM	06/18/13	78 FR 36478
NPRM Comment Period End.	07/15/13	

Action	Date	FR Cite
R&O	12/20/13	78 FR 77210
FNPRM	12/20/13	78 FR 77074
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Diana Sokolow, Attorney, Policy Division, Federal Communications Commission, Media Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2120, *Email: diana.sokolow@fcc.gov*.

RIN: 3060–AK11

320. Network Non-Duplication and Syndicated Exclusivity Rule (MB Docket No. 14–29)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 301; 47 U.S.C. 303(R); 47 U.S.C. 307; 47 U.S.C. 339(b); 47 U.S.C.573(b)

Abstract: In this proceeding, the Commission continues to examine whether to eliminate or modify the network no-duplication and syndicated exclusivity rules in light of changes in the video marketplace in the more than 40 years since these rules were adopted.

Timetable:

Action	Date	FR Cite
NPRM	04/10/14	79 FR 19849
NPRM Comment Period End.	05/12/14	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kathy Berthot, Attorney, Policy Division Media Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2120, *Email: kathy.berthot@fcc.gov*.

RIN: 3060–AK18

321. • Expansion of Online Public File Obligations to Cable and Satellite TV Operators and Broadcast and Satellite Radio Licensees; MB Docket No. 14–127

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154(i)

Abstract: In this proceeding, the Commission proposes to expand to cable operators, satellite TV providers, broadcast radio licensees, and satellite radio licensees the requirement that public inspection files be posted to the FCC's online database. In 2012, the Commission adopted online public file rules for broadcast television stations that required them to post public file documents to a central, FCC-hosted online database rather than maintain the files locally at their main studios. Expanding the online file to other media entities will extend the benefits of improved public access to public inspection files and ultimately reduce the burden of maintaining these files.

Timetable:

Action	Date	FR Cite
NPRM	02/13/15	80 FR 8031
NPRM Comment Period End.	03/16/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kim Matthews, Attorney, Policy Division, Federal Communications Commission, Media Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2154, *Fax:* 202 418–2053, *Email: kim.matthews@fcc.gov*.

RIN: 3060–AK23

322. • Promoting Innovation and Competition in the Provision of Multichannel Video Programming Distribution Services; MB Docket No. 14–261

Legal Authority: 47 U.S.C. 154(i); 47 U.S.C. 154(j); 47 U.S.C. 303(r); 47 U.S.C. 325; 47 U.S.C. 403; 47 U.S.C. 536; 47 U.S.C. 548; 47 U.S.C. 549; 47 U.S.C. 554; 47 U.S.C. 613

Abstract: In this proceeding, the Commission proposes new rules to account for the fact that video services are being provided increasingly over the Internet. In the Notice of Proposed Rulemaking (NPRM), the Commission seeks comment on possible interpretations of the term multichannel video programming distributor'' as used in the Communications Act of 1934, as amended (the Act) and seeks comment on how each of those interpretations would affect the industry and consumers.

Timetable:

Action	Date	FR Cite
NPRM	01/15/15	80 FR 2078
NPRM Comment Period End.	02/17/15	
NPRM Reply Comment Period End.	03/02/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brendan Murray, Attorney Advisor, Policy Division, Federal Communications Commission, Media Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1573, *Email: brendan.murray@fcc.gov*.

RIN: 3060–AK25

FEDERAL COMMUNICATIONS COMMISSION (FCC)

Office of Managing Director

Long-Term Actions

323. Assessment and Collection of Regulatory Fees

Legal Authority: 47 U.S.C. 159

Abstract: Section 9 of the Communications Act of 1934, as amended, 47 United States Code 159, requires the FCC to recover the cost of its activities by assessing and collecting annual regulatory fees from beneficiaries of the activities.

Timetable:

Action	Date	FR Cite
NPRM	04/06/06	71 FR 17410
R&O	08/02/06	71 FR 43842
NPRM	05/02/07	72 FR 24213
R&O	08/16/07	72 FR 45908
FNPRM	08/16/07	72 FR 46010
NPRM	05/28/08	73 FR 30563
R&O	08/26/08	73 FR 50201
FNPRM	08/26/08	73 FR 50285
2nd R&O	05/12/09	74 FR 22104
NPRM and Order	06/02/09	74 FR 26329
R&O	08/11/09	74 FR 40089
NPRM	04/26/10	75 FR 21536
R&O	07/19/10	75 FR 41932
NPRM	05/26/11	76 FR 30605
R&O	08/10/11	76 FR 49333
NPRM	05/17/12	77 FR 29275
R&O	08/03/12	77 FR 46307
NPRM	08/17/12	77 FR 49749
NPRM	06/10/13	78 FR 34612
R&O	08/23/13	78 FR 52433
NPRM	07/03/14	79 FR 37982
R&O	09/11/14	79 FR 54190
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Roland Helvajian, Office of the Managing Director, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0444, *Email: roland.helvajian@fcc.gov*.

RIN: 3060–AI79

324. Amendment of Part 1 of the Commission's Rules, Concerning Practice and Procedure, Amendment of Cores Registration System; MD Docket No. 10–234

Legal Authority: 47 U.S.C. 154(i); 47 U.S.C. 158(c)(2); 47 U.S.C. 159(c)(2); 47 U.S.C. 303(r); 5 U.S.C. 5514; 31 U.S.C. 7701(c)(1)

Abstract: This Notice of Proposed Rulemaking proposes revisions intended to make the Commission's Registration System (CORES) more

feature-friendly and improve the Commission's ability to comply with various statutes that govern debt collection and the collection of personal information by the Federal Government. The proposed modifications to CORES partly include requiring entities and individuals to rely primarily upon a single FRN that may, at their discretion, be linked to subsidiary or associated accounts; allowing entities to identify multiple points of contact; eliminating some of our exceptions to the requirement that entities and individuals provide their Taxpayer Identification Number (TIN) at the time of registration; requiring FRN holders to provide their email addresses; modifying CORES log-in procedures; adding attention flags and automated notices that would inform FRN holders of their financial standing before the Commission; and adding data fields to enable FRN holders to indicate their tax-exempt status and notify the Commission of pending bankruptcy proceedings.

Timetable:

Action	Date	FR Cite
NPRM	02/01/11	76 FR 5652
NPRM Comment Period End.	03/03/11	
Public Notice	02/15/11	
NPRM	02/26/15	80 FR 10442
NPRM Comment Period End.	03/30/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Warren Firschein, Attorney, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0844, *Email: warren.firschein@fcc.gov*.

RIN: 3060–AJ54

FEDERAL COMMUNICATIONS COMMISSION (FCC)

Public Safety and Homeland Security Bureau

Long-Term Actions

325. Revision of the Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems

Legal Authority: 47 U.S.C. 134(i); 47 U.S.C. 151; 47 U.S.C. 201; 47 U.S.C. 208; 47 U.S.C. 215; 47 U.S.C. 303; 47 U.S.C. 309

Abstract: In a series of orders in several related proceedings issued since 1996, the Federal Communications Commission has taken action to improve the quality and reliability of 911 emergency services for wireless phone users. Rules have been adopted governing the availability of basic 911 services and the implementation of enhanced 911 (E911) for wireless services.

Timetable:

Action	Date	FR Cite
FNPRM	08/02/96	61 FR 40374
R&O	08/02/96	61 FR 40348
MO&O	01/16/98	63 FR 2631
Second R&O	06/28/99	64 FR 34564
Third R&O	11/04/99	64 FR 60126
Second MO&O	12/29/99	64 FR 72951
Fourth MO&O	10/02/00	65 FR 58657
FNPRM	06/13/01	66 FR 31878
Order	11/02/01	66 FR 55618
R&O	05/23/02	67 FR 36112
Public Notice	07/17/02	67 FR 46909
Order to Stay	07/26/02	
Order on Reconsideration.	01/22/03	68 FR 2914
FNPRM	01/23/03	68 FR 3214
R&O, Second FNPRM.	02/11/04	69 FR 6578
Second R&O	09/07/04	69 FR 54037
NPRM	06/20/07	72 FR 33948
NPRM Comment Period End.	09/18/07	
R&O	02/14/08	73 FR 8617
Public Notice	09/25/08	73 FR 55473
Comment Period End.	10/18/08	
Public Notice	11/18/09	74 FR 59539
Comment Period End.	12/04/09	
FNPRM, NOI	11/02/10	75 FR 67321
Second R&O	11/18/10	75 FR 70604
Order, Comment Period Extension.	01/07/11	76 FR 1126
Comment Period End.	02/18/11	
Final Rule	04/28/11	76 FR 23713
NPRM	08/04/11	76 FR 47114
Second FNPRM	08/04/11	76 FR 47114
3rd R&O	09/28/11	76 FR 59916
NPRM Comment Period End.	11/02/11	
3rd FNPRM	03/28/14	79 FR 17820
Order Extending Comment Period.	06/10/14	79 FR 33163
3rd FNPRM Comment Period End.	07/14/14	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Tom Beers, Chief, Policy & Licensing Division, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0952, *Email: tom.beers@fcc.gov*.

RIN: 3060–AG34

326. Enhanced 911 Services for Wireline and Multi-Line Telephone Systems; PS Docket Nos. 10–255 and 07–117

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 201; 47 U.S.C. 222; 47 U.S.C. 251

Abstract: The policies set forth in the Report and Order will assist State governments in drafting legislation that will ensure that multi-line telephone systems are compatible with the enhanced 911 network. The Public Notice seeks comment on whether the Commission, rather than States, should regulate multiline telephone systems, and whether part 68 of the Commission's rules should be revised.

Timetable:

Action	Date	FR Cite
NPRM	10/11/94	59 FR 54878
FNPRM	01/23/03	68 FR 3214
Second FNPRM	02/11/04	69 FR 6595
R&O	02/11/04	69 FR 6578
Public Notice	01/13/05	70 FR 2405
Comment Period End.	03/29/05	
NOI	01/13/11	76 FR 2297
NOI Comment Period End.	03/14/11	
Public Notice (Release Date).	05/21/12	
Public Notice Comment Period End.	08/06/12	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Tom Beers, Chief, Policy & Licensing Division, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0952, *Email: tom.beers@fcc.gov*.

RIN: 3060–AG60

327. In the Matter of the Communications Assistance for Law Enforcement Act

Legal Authority: 47 U.S.C. 229; 47 U.S.C. 1001 to 1008

Abstract: All of the decisions in this proceeding thus far are aimed at implementation of provisions of the Communications Assistance for Law Enforcement Act.

Timetable:

Action	Date	FR Cite
NPRM	10/10/97	62 FR 63302
Order	01/13/98	63 FR 1943
FNPRM	11/16/98	63 FR 63639
R&O	01/29/99	64 FR 51462
Order	03/29/99	64 FR 14834
Second R&O	09/23/99	64 FR 51462

Action	Date	FR Cite
Third R&O	09/24/99	64 FR 51710
Order on Reconsideration.	09/28/99	64 FR 52244
Policy Statement	10/12/99	64 FR 55164
Second Order on Reconsideration.	05/04/01	66 FR 22446
Order	10/05/01	66 FR 50841
Order on Remand	05/02/02	67 FR 21999
NPRM	09/23/04	69 FR 56976
First R&O	10/13/05	70 FR 59704
Second R&O	07/05/06	71 FR 38091
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Tom Beers, Chief, Policy & Licensing Division, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0952, *Email: tom.beers@fcc.gov*.

RIN: 3060–AG74

328. Implementation of 911 ACT (CC Docket No. 92–105, WT Docket No. 00–110)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 157; 47 U.S.C. 160; 47 U.S.C. 202; 47 U.S.C. 208; 47 U.S.C. 210; 47 U.S.C. 214; 47 U.S.C. 251(e); 47 U.S.C. 301; 47 U.S.C. 303; 47 U.S.C. 308 to 309(j); 47 U.S.C. 310

Abstract: This proceeding was separate from the Commission's proceeding on Enhanced 911 Emergency Systems (E911) in that it intended to implement provisions of the Wireless Communications and Public Safety Act of 1999 through the promotion of public safety by the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. More specifically, the chief goal of the proceeding is to ensure that all emergency calls are routed to the appropriate local emergency authority to provide assistance. The E911 proceeding goes a step further and was aimed at improving the effectiveness and reliability of wireless 911 dispatchers with additional information on wireless 911 calls.

Timetable:

Action	Date	FR Cite
Fourth R&O, Third NPRM.	09/19/00	65 FR 56752
NPRM	09/19/00	65 FR 56757
Fifth R&O, First R&O, and MO&O.	01/14/02	67 FR 1643
Final Rule	01/25/02	67 FR 3621
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Tom Beers, Chief, Policy & Licensing Division, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0952, *Email: tom.beers@fcc.gov*.

RIN: 3060–AH90

329. Commission Rules Concerning Disruptions to Communications (PS Docket No. 11–82)

Legal Authority: 47 U.S.C. 155; 47 U.S.C. 154; 47 U.S.C. 201; 47 U.S.C. 251

Abstract: The 2004 Report and Order extended the Commission's outage reporting requirements to non-wireline carriers and streamlined reporting through a new electronic template. Seven petitions for reconsideration were filed and remained pending. A Further Notice of Proposed Rulemaking regarding the unique communications needs of airports also remains pending. The 2012 Report and Order extended the Commission's outage reporting requirements to interconnected Voice over Internet Protocol services where there is a complete loss of connectivity that has the potential to affect at least 900,000 user minutes. Interconnected VoIP services providers must now file outage reports through the same electronic mechanism as providers of other services. The Commission indicated that the technical issues involved in identifying and reporting significant outages of broadband Internet services require further study.

Timetable:

Action	Date	FR Cite
NPRM	03/26/04	69 FR 15761
FNPRM	11/26/04	69 FR 68859
R&O	12/03/04	69 FR 70316
Announcement of Effective Date and Partial Stay.	12/30/04	69 FR 78338
Petition for Reconsideration.	02/15/05	70 FR 7737
Amendment of Delegated Authority.	02/21/08	73 FR 9462
Public Notice	08/02/10	
NPRM	06/09/11	76 FR 33686
NPRM Comment Period End.	08/08/11	
R&O	04/27/12	77 FR 25088
Final Rule; Correction.	01/30/13	78 FR 6216
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brenda Villanueva, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7005.

RIN: 3060–AI22

330. E911 Requirements for IP-Enabled Service Providers (Dockets Nos. GN 11–117, PS 07–114, WC 05–196, WC 04–36)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 251(e); 47 U.S.C. 303(r)

Abstract: The notice seeks comment on what additional steps the Commission should take to ensure that providers of Voice over Internet Protocol services that interconnect with the public switched telephone network to provide ubiquitous and reliable enhanced 911 service.

Timetable:

Action	Date	FR Cite
NPRM	03/29/04	69 FR 16193
NPRM	06/29/05	70 FR 37307
R&O	06/29/05	70 FR 37273
NPRM Comment Period End.	09/12/05	
NPRM	06/20/07	72 FR 33948
NPRM Comment Period End.	09/18/07	
FNPRM, NOI	11/02/10	75 FR 67321
Order, Extension of Comment Period.	01/07/11	76 FR 1126
Comment Period End.	02/18/11	
2nd FNPRM, NPRM.	08/04/11	76 FR 47114
2nd FNPRM Comment Period End.	11/02/11	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Tom Beers, Chief, Policy & Licensing Division, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0952, *Email: tom.beers@fcc.gov*.

RIN: 3060–AI62

331. Commercial Mobile Alert System

Legal Authority: Pub. L. 109–347 title VI; E.O. 13407; 47 U.S.C. 151; 47 U.S.C. 154(i)

Abstract: In the Notice of Proposed Rulemaking (NPRM), the Commission initiated a comprehensive rulemaking to establish a commercial mobile alert system under which commercial mobile service providers may elect to transmit emergency alerts to the public. The Commission has issued three orders adopting CMAS rules as required by statute. Issues raised in an FNPRM regarding testing requirements for noncommercial educational and public

broadcast television stations remain outstanding.

Timetable:

Action	Date	FR Cite
NPRM	01/03/08	73 FR 545
NPRM Comment Period End.	02/04/08	
First R&O	07/24/08	73 FR 43009
Second R&O	08/14/08	73 FR 47550
FNPRM	08/14/08	73 FR 47568
FNPRM Comment Period End.	09/15/08	
Third R&O	09/22/08	73 FR 54511
Approval of Information Collection for 2nd R&O.	02/13/12	77 FR 41331
Order	02/25/13	78 FR 16806
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Lisa Fowlkes, Deputy Bureau Chief, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7452, *Email: lisa.fowlkes@fcc.gov*.

RIN: 3060–AJ03

332. Wireless E911 Location Accuracy Requirements; PS Docket No. 07–114

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 332

Abstract: This is related to the proceedings in which the FCC has previously acted to improve the quality of all emergency services. Wireless carriers must provide specific automatic location information in connection with 911 emergency calls to Public Safety Answering Points (PSAPs). Wireless licensees must satisfy Enhanced 911 location accuracy standards at either a county-based or a PSAP-based geographic level.

Timetable:

Action	Date	FR Cite
NPRM	06/20/07	72 FR 33948
R&O	02/14/08	73 FR 8617
Public Notice	09/25/08	73 FR 55473
FNPRM; NOI	11/02/10	75 FR 67321
Public Notice	11/18/09	74 FR 59539
2nd R&O	11/18/10	75 FR 70604
Second NPRM	08/04/11	76 FR 47114
Second NPRM Comment Period End.	11/02/11	
Final Rule	04/28/11	76 FR 23713
NPRM, 3rd R&O, and 2nd FNPRM.	09/28/11	76 FR 59916
3rd FNPRM	03/28/14	79 FR 17820
Order Extending Comment Period.	06/10/14	79 FR 33163
3rd FNPRM Comment Period End.	07/14/14	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Tom Beers, Chief, Policy & Licensing Division, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0952, *Email: tom.beers@fcc.gov*.

RIN: 3060–AJ52

333. 700 MHZ Public Safety Broadband—First Net (PS Docket Nos. 12–94 & 06–229 and WT 06–150)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 301 to 303; 47 U.S.C. 307 to 309; Pub. L. 112–96

Abstract: This action proposes technical rules to protect against harmful radio frequency interference in the spectrum designated for public safety services under the Middle Class Tax Relief and Job Creation Act of 2012.

Timetable:

Action	Date	FR Cite
NPRM	04/24/13	78 FR 24138
NPRM Comment Period End.	05/24/13	
R&O	01/06/14	79 FR 588
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brian Hurley, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2220, *Email: brian.hurley@fcc.gov*.

RIN: 3060–AJ99

334. Proposed Amendments to Service Rules Governing Public Safety Narrowband Operations in the 769–775 and 799–805 MHZ Bands

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 160; 47 U.S.C. 201; 47 U.S.C. 303; 47 U.S.C. 337(a); 47 U.S.C. 403

Abstract: This proceeding seeks to amend the Commission's rules to promote spectrum efficiency, interoperability, and flexibility in 700 MHz public safety narrowband operations (769775/799805 MHz).

Timetable:

Action	Date	FR Cite
NPRM	04/19/13	78 FR 23529
Final Rule	12/20/14	79 FR 71321
Final Rule Effective.	01/02/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Brian Marenco, Electronics Engineer, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0838, *Email: brian.marenco@fcc.gov*.

RIN: 3060–AK19

FEDERAL COMMUNICATIONS COMMISSION (FCC)

Wireless Telecommunications Bureau

Long-Term Actions

335. Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152(n); 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 201(b); 47 U.S.C. 251(a); 47 U.S.C. 253; 47 U.S.C. 303(r); 47 U.S.C. 332(c)(1)(B); 47 U.S.C. 309

Abstract: This rulemaking considers whether the Commission should adopt an automatic roaming rule for voice services for Commercial Mobile Radio Services and whether the Commission should adopt a roaming rule for mobile data services.

Timetable:

Action	Date	FR Cite
NPRM	11/21/00	65 FR 69891
NPRM	09/28/05	70 FR 56612
NPRM	01/19/06	71 FR 3029
FNPRM	08/30/07	72 FR 50085
Final Rule	08/30/07	72 FR 50064
Final Rule	04/28/10	75 FR 22263
FNPRM	04/28/10	75 FR 22338
2nd R&O	05/06/11	76 FR 26199
Order on Recon	06/25/14	79 FR 43956
Declaratory Ruling (release date).	12/18/14	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Catherine Matraves, Deputy Division Chief, SCPD, Federal Communications Commission, Wireless Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1310, *Email: catherine.matraves@fcc.gov*.

RIN: 3060–AH83

336. Review of Part 87 of the Commission's Rules Concerning Aviation (WT Docket No. 01–289)

Legal Authority: 47 U.S.C. 154; 47 U.S.C. 303; 47 U.S.C. 307(e)

Abstract: This proceeding is intended to streamline, consolidate, and revise our part 87 rules governing the Aviation Radio Service. The rule changes are designed to ensure these rules reflect current technological advances.

Timetable:

Action	Date	FR Cite
NPRM	10/16/01	66 FR 64785
NPRM Comment Period End.	03/14/02	
R&O and FNPRM	10/16/03	
FNPRM	04/12/04	69 FR 19140
FNPRM Comment Period End.	07/12/04	
R&O	06/14/04	69 FR 32577
NPRM	12/06/06	71 FR 70710
NPRM Comment Period End.	03/06/07	
Final Rule	12/06/06	71 FR 70671
3rd R&O	03/29/11	76 FR 17347
Stay Order	03/29/11	76 FR 17353
3rd FNPRM	01/30/13	78 FR 6276
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jeff Tobias, Attorney Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0680, *Email: jeff.tobias@fcc.gov*.

RIN: 3060–AI35

337. Implementation of the Commercial Spectrum Enhancement Act (CSEA) and Modernization of the Commission's Competitive Bidding Rules and Procedures (WT Docket No. 05–211)

Legal Authority: 15 U.S.C. 79; 47 U.S.C. 151; 47 U.S.C. 154(i) and (j); 47 U.S.C. 155; 47 U.S.C. 155(c); 47 U.S.C. 157; 47 U.S.C. 225; 47 U.S.C. 303(r); 47 U.S.C. 307; 47 U.S.C. 309; 47 U.S.C. 309(j); 47 U.S.C. 325(e); 47 U.S.C. 334; 47 U.S.C. 336; 47 U.S.C. 339; 47 U.S.C. 554

Abstract: This proceeding implements rules and procedures needed to comply with the Commercial Spectrum Enhancement Act (CSEA). It establishes a mechanism for reimbursing Federal agencies' out-of-spectrum auction proceeds for the cost of relocating their operations from certain ''eligible frequencies'' that have been reallocated from Federal to non-Federal use. It also seeks to improve the Commission's ability to achieve Congress' directives with regard to designated entities and to ensure that, in accordance with the intent of Congress, every recipient of its designated entity benefits is an entity that uses its licenses to directly provide facilities-based telecommunications services for the benefit of the public.

Timetable:

Action	Date	FR Cite
NPRM	06/14/05	70 FR 43372
NPRM Comment Period End.	08/26/05	
Declaratory Ruling	06/14/05	70 FR 43322
R&O	01/24/06	71 FR 6214
FNPRM	02/03/06	71 FR 6992
FNPRM Comment Period End.	02/24/06	
Second R&O	04/25/06	71 FR 26245
Order on Reconsideration of Second R&O.	06/02/06	71 FR 34272
NPRM	06/21/06	71 FR 35594
NPRM Comment Period End.	08/21/06	
Reply Comment Period End.	09/19/06	
Second Order and Reconsideration of Second R&O.	04/04/08	73 FR 18528
Order	02/01/12	77 FR 16470
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kelly Quinn, Assistant Chief, Auctions and Spectrum Access Division, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0660, *Email: kelly.quinn@fcc.gov*.

RIN: 3060–AI88

338. Facilitating the Provision of Fixed and Mobile Broadband Access, Educational, and Other Advanced Services in the 2150–2162 and 2500–2690 MHz Bands

Legal Authority: 47 U.S.C. 154; 47 U.S.C. 301 to 303; 47 U.S.C. 307; 47 U.S.C. 309; 47 U.S.C. 332; 47 U.S.C. 336 and 337

Abstract: The Commission seeks comment on whether to assign Educational Broadband Service (EBS) spectrum in the Gulf of Mexico. It also seeks comment on how to license unassigned and available EBS spectrum. Specifically, we seek comment on whether it would be in the public interest to develop a scheme for licensing unassigned EBS spectrum that avoids mutual exclusivity; we ask whether EBS eligible entities could participate fully in a spectrum auction; we seek comment on the use of small business size standards and bidding credits for EBS if we adopt a licensing scheme that could result in mutually exclusive applications; we seek comment on the proper market size and size of spectrum blocks for new EBS licenses; and we seek comment on issuing one license to a State agency designated by the Governor to be the spectrum manager, using frequency coordinators to avoid mutually exclusive EBS applications, as well as other alternative licensing schemes. The Commission must develop a new licensing scheme for EBS in order to achieve the Commission's goal of facilitating the development of new and innovative wireless services for the benefit of students throughout the Nation. In addition, the Commission has sought comment on a proposal intended to make it possible to use wider channel bandwidths for the provision of broadband services in these spectrum bands. The proposed changes may permit operators to use spectrum more efficiently, and to provide higher data rates to consumers, thereby advancing key goals of the National Broadband Plan.

Timetable:

Action	Date	FR Cite
NPRM	04/02/03	68 FR 34560
NPRM Comment Period End.	09/08/03	
FNPRM	07/29/04	69 FR 72048
FNPRM Comment Period End.	01/10/03	
R&O	07/29/04	69 FR 72020
MO&O	04/27/06	71 FR 35178
FNPRM	03/20/08	73 FR 26067
FNPRM Comment Period End.	07/07/08	
MO&O	03/20/08	73 FR 26032
MO&O	09/28/09	74 FR 49335
FNPRM	09/28/09	74 FR 49356
FNPRM Comment Period End.	10/13/09	
R&O	06/03/10	75 FR 33729
FNPRM	05/27/11	76 FR 32901
FNPRM Comment Period End.	07/22/11	
R&O	07/16/14	79 FR 41448
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John Schauble, Deputy Chief, Broadband Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0797, *Email: john.schauble@fcc.gov*.

RIN: 3060–AJ12

339. Service Rules for Advanced Wireless Services in the 2155–2175 MHz BAND; WT Docket No. 13–185

Legal Authority: 47 U.S.C. 151 and 152; 47 U.S.C. 154(i); 47 U.S.C. 157; 47

U.S.C. 160; 47 U.S.C. 201; 47 U.S.C. 214; 47 U.S.C. 301

Abstract: This proceeding explores the possible uses of the 2155–2175 MHz frequency band (AWS–3) to support the introduction of new advanced wireless services, including third generation and future generations of wireless systems. Advanced wireless systems could provide for a wide range of voice data and broadband services over a variety of mobile and fixed networks. The Notice of Proposed Rulemaking (NPRM) sought comment on what service rules should be adopted in the AWS–3 band. We requested comment on rules for licensing this spectrum in a manner that will permit it to be fully and promptly used to bring advanced wireless services to American consumers. Our objective is to allow for the most effective and efficient use of the spectrum in this band, while also encouraging development of robust wireless broadband services. We proposed to apply our flexible, market-oriented rules to the band to do so. Thereafter, the Commission released a Further Notice of Proposed Rulemaking (FNPRM), seeking comment on the Commission's proposed AWS–3 rules, which include adding 5 megahertz of spectrum (2175–80 MHz) to the AWS–3 band, and requiring licensees of that spectrum to provide—using up to 25 percent of its wireless network capacity—free, two-way broadband Internet service at engineered data rates of at least 768 kbps downstream.

Timetable:

Action	Date	FR Cite
NPRM	11/14/07	72 FR 64013
NPRM Comment Period End.	01/14/08	
FNPRM	06/25/08	73 FR 35995
FNPRM Comment Period End.	08/11/08	
FNPRM	08/20/13	78 FR 51559
FNPRM Comment Period End.	10/16/13	
R&O	06/04/14	79 FR 32366
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Peter Daronco, Deputy Division Chief, Broadband Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7235, *Email: peter.daronco@fcc.gov*.

RIN: 3060–AJ19

340. Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698–806 MHz Band (WT Docket No. 08–166) Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low Power Auxiliary

Legal Authority: 47 U.S.C. 151 and 152; 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 301 and 302(a); 47 U.S.C. 303; 47 U.S.C. 303(r); 47 U.S.C. 304; 47 U.S.C. 307 to 309; 47 U.S.C. 316; 47 U.S.C. 332; 47 U.S.C. 336 and 337

Abstract: In 2010, the Commission: prohibited the distribution and sale of wireless microphones that operate in the 700 MHz Band (TV channels 52–69); ordered that the band be cleared of these devices; authorized unlicensed wireless microphone operations subject to conditions; and sought comment on issues including the operation of low power auxiliary stations including wireless microphones in the core TV bands (channels 52–36, 38–51), and on license eligibility.

On June 2, 2014, the Commission released a Second Report and Order to provide a limited expansion of the types of entities eligible for a low power auxiliary station license under part 74 of its rules to include qualifying professional sound companies, as well as owners and operators of large venues, as further explained in the order. The Commission also (1) denied requests to expand eligibility under part 74 to include nuclear power plants, but modified a previous waiver concerning the operation of unlicensed low power auxiliary devices both inside and outside the plants; (2) adopted provisions to condition any new LPAS licenses on the requirement to cease operating in repurposed UHF spectrum in connection with the Commission's Incentive Auction Report and Order in GN Docket No. 12–268 (FCC 14–50); and (3) provided newly eligible licensees with an initial and renewal license term not to exceed 10years.

Timetable:

Action	Date	FR Cite
NPRM	09/03/08	73 FR 51406
NPRM Comment Period End.	10/20/08	
R&O	01/22/10	75 FR 3622
FNPRM	01/22/10	75 FR 3682
FNPRM Comment Period End.	03/22/10	
Public Notice	10/05/12	
Second R&O	07/14/14	79 FR 40680
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: G. William Stafford, Attorney, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0563, *Email: bill.stafford@fcc.gov*.

RIN: 3060–AJ21

341. Amendment of the Commission's Rules To Improve Public Safety Communications in the 800 MHz Band, and To Consolidate the 800 MHz And 900 MHz Business and Industrial/Land Transportation Pool Channels

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 303; 47 U.S.C. 309; 47 U.S.C. 332

Abstract: This action adopts rules that retain the current site-based licensing paradigm for the 900 MHz B/ILT ''white space''; adopts interference protection rules applicable to all licensees operating in the 900 MHz B/ILT spectrum; and lifts, on a rolling basis, the freeze placed on applications for new 900 MHz B/ILT licenses in September 2004—the lift being tied to the completion of rebanding in each 800 MHz National Public Safety Planning Advisory Committee (NPSPAC) region.

Timetable:

Action	Date	FR Cite
NPRM	03/18/05	70 FR 13143
NPRM Comment Period End.	06/12/05	70 FR 23080
Final Rule	12/16/08	73 FR 67794
Petition for Reconsideration.	03/12/09	74 FR 10739
Order on Reconsideration.	07/17/13	78 FR 42701
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Joyce Jones, Attorney Advisor, Wireless Telecommunications Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1327, *Email: joyce.jones@fcc.gov*.

RIN: 3060–AJ22

342. Amendment of Part 101 To Accommodate 30 MHz Channels in the 6525–6875 MHz Band and Provide Conditional Authorization on Channels in the 21.8–22.0 and 23.0–23.2 GHz Band (WT Docket No. 04–114)

Legal Authority: 47 U.S.C. 151 and 152; 47 U.S.C. 154(i); 47 U.S.C. 157; 47 U.S.C. 160; 47 U.S.C. 201; 47 U.S.C. 214; 47 U.S.C. 301 to 303; 47 U.S.C. 307 to 310; 47 U.S.C. 319; 47 U.S.C. 324; 47 U.S.C. 332 and 333

Abstract: The Commission seeks comments on modifying its rules to authorize channels with bandwidths of as much as 30 MHz in the 6525–6875 MHz band. We also propose to allow conditional authorization on additional

channels in the 21.8–22.0 and 23.0–23.2 GHz bands.

Timetable:

Action	Date	FR Cite
NPRM	06/29/09	74 FR 36134
NPRM Comment Period End.	07/22/09	
R&O	06/11/10	75 FR 41767
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John Schauble, Deputy Chief, Broadband Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0797, *Email: john.schauble@fcc.gov.*

RIN: 3060–AJ28

343. In the Matter of Service Rules for the 698 to 746, 747 to 762, and 777 to 792 MHz Bands

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 303(r); 47 U.S.C. 309

Abstract: This is one of several docketed proceedings involved in the establishment of rules governing wireless licenses in the 698–806 MHz band (the 700 MHz band). This spectrum is being vacated by television broadcasters in TV channels 52–69. It is being made available for wireless services, including public safety and commercial services, as a result of the digital television (DTV) transition. This docket has to do with service rules for the commercial services, and is known as the 700 MHz Commercial Services proceeding.

Timetable:

Action	Date	FR Cite
NPRM	08/03/06	71 FR 48506
NPRM	09/20/06	
FNPRM	05/02/07	72 FR 24238
FNPRM Comment Period End.	05/23/07	
R&O	07/31/07	72 FR 48814
Order on Reconsideration.	09/24/07	72 FR 56015
Second FNPRM	05/14/08	73 FR 29582
Second FNPRM Comment Period End.	06/20/08	
Third FNPRM	09/05/08	73 FR 57750
Third FNPRM Comment Period End.	11/03/08	
Second R&O	02/20/09	74 FR 8868
Final Rule	03/04/09	74 FR 8868
Order on Reconsideration.	03/01/13	78 FR 19424
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Paul D'Ari, Spectrum and Competition Policy Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1550, *Email: paul.dari@fcc.gov.*

RIN: 3060–AJ35

344. National Environmental Act Compliance for Proposed Tower Registrations; in the Matter of Effects on Migratory Birds

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 303(q); 47 U.S.C. 303(r); 47 U.S.C. 309(g); 42 U.S.C. 4321 *et seq.*

Abstract: On April 14, 2009, American Bird Conservancy, Defenders of Wildlife, and National Audubon Society filed a Petition for Expedited Rulemaking and Other Relief. The petitioners request that the Commission adopt on an expedited basis a variety of new rules which they assert are necessary to comply with environmental statutes and their implementing regulations. This proceeding addresses the Petition for Expedited Rulemaking and Other Relief.

Timetable:

Action	Date	FR Cite
NPRM	11/22/06	71 FR 67510
NPRM Comment Period End.	02/20/07	
New NPRM Comment Period End.	05/23/07	
Order on Remand	01/26/12	77 FR 3935
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jeff Steinberg, Deputy Chief, Spectrum and Competition Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0896, *Email: jeffrey.steinberg@fcc.gov.*

RIN: 3060–AJ36

345. Amendment of Part 90 of the Commission's Rules

Legal Authority: 47 U.S.C. 154; 47 U.S.C. 303

Abstract: This proceeding considers rule changes impacting miscellaneous part 90 Private Land Mobile Radio rules.

Timetable:

Action	Date	FR Cite
NPRM	06/13/07	72 FR 32582
FNPRM	04/14/10	75 FR 19340
Order on Reconsideration.	05/27/10	75 FR 29677
5th R&O	05/16/13	78 FR 28749
Petition for Reconsideration.	07/23/13	78 FR 44091
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Rodney P Conway, Engineer, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2904, *Fax:* 202 418–1944, *Email: rodney.conway@fcc.gov.*

RIN: 3060–AJ37

346. Amendment of Part 101 of the Commission's Rules for Microwave Use and Broadcast Auxiliary Service Flexibility

Legal Authority: 47 U.S.C. 151 and 152; 47 U.S.C. 154(i) and 157; 47 U.S.C. 160 and 201; 47 U.S.C. 214; 47 U.S.C. 301 to 303; 47 U.S.C. 307 to 310; 47 U.S.C. 319 and 324; 47 U.S.C. 332 and 333

Abstract: In this document, the Commission commences a proceeding to remove regulatory barriers to the use of spectrum for wireless backhaul and other point-to-point and point-to-multipoint communications.

Timetable:

Action	Date	FR Cite
NPRM	08/05/10	75 FR 52185
NPRM Comment Period End.	11/22/10	
R&O	09/27/11	76 FR 59559
FNPRM	09/27/11	76 FR 59614
FNPRM Comment Period End.	10/25/11	
R&O	09/05/12	77 FR 54421
FNPRM	09/05/12	77 FR 54511
FNPRM Comment Period End.	10/22/12	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John Schauble, Deputy Chief, Broadband Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0797, *Email: john.schauble@fcc.gov.*

RIN: 3060–AJ47

347. 2004 and 2006 Biennial Regulatory Reviews—Streamlining and Other Revisions of the Commission's Rules Governing Construction, Marking, and Lighting of Antenna Structures

Legal Authority: 47 U.S.C. 154(i)–(j) and 161; 47 U.S.C. 303(q)

Abstract: In this NPRM, in WT Docket No. 10–88, the Commission seeks comment on revisions to part 17 of the Commission's rules governing construction, marking, and lighting of antenna structures. The Commission initiated this proceeding to update and modernize the part 17 rules. These proposed revisions are intended to improve compliance with these rules and allow the Commission to enforce them more effectively, helping to better ensure the safety of pilots and aircraft passengers nationwide. The proposed revisions also would remove outdated and burdensome requirements without compromising the Commission's statutory responsibility to prevent antenna structures from being hazards or menaces to air navigation.

Timetable:

Action	Date	FR Cite
NPRM	05/21/10	75 FR 28517
NPRM Comment Period End.	07/20/10	
NPRM Reply Comment Period End.	08/19/10	
R&O	09/24/14	79 FR 56968
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Paul D'Ari, Spectrum and Competition Policy Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1550, *Email: paul.dari@fcc.gov.*

RIN: 3060–AJ50

348. Universal Service Reform Mobility Fund (WT Docket No. 10–208)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 155; 47 U.S.C. 160; 47 U.S.C. 201; 47 U.S.C. 205; 47 U.S.C. 225; 47 U.S.C. 254; 47 U.S.C. 301; 47 U.S.C. 303; 47 U.S.C. 303(c); 47 U.S.C. 303(f); 47 U.S.C. 303(r); 47 U.S.C. 303(y); 47 U.S.C. 309; 47 U.S.C. 310

Abstract: This proceeding establishes the Mobility Fund which provides an initial infusion of funds toward solving persistent gaps in mobile services through targeted, one-time support for the build-out of current and next-generation wireless infrastructure in areas where these services are unavailable.

Timetable:

Action	Date	FR Cite
NPRM	10/14/10	75 FR 67060
NPRM Comment Period End.	01/18/11	
R&O	11/29/11	76 FR 73830
FNPRM	12/16/11	76 FR 78384
R&O	12/28/11	76 FR 81562
2nd R&O	07/03/12	77 FR 39435
4th Order on Recon.	08/14/12	77 FR 48453
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Scott Mackoul, Attorney Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0660.

RIN: 3060–AJ58

349. Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525–1559 MHz and 1626.5–1660.5 MHz, 1610–1626.5 MHz and 2483.5–2500 MHz, and 2000–2020 MHz and 2180–2200 MHz

Legal Authority: 47 U.S.C. 151 and 154; 47 U.S.C. 303 and 310

Abstract: The Commission proposes steps making additional spectrum available for new investment in mobile broadband networks while ensuring that the United States maintains robust mobile satellite service capabilities. Mobile broadband is emerging as one of America's most dynamic innovation and economic platforms. Yet tremendous demand growth soon will test the limits of spectrum availability. Some 90 megahertz of spectrum allocated to the Mobile Satellite Service (MSS)—in the 2 GHz band, Big LEO band, and L-band—are potentially available for terrestrial mobile broadband use. The Commission seeks to remove regulatory barriers to terrestrial use, and to promote additional investments, such as those recently made possible by a transaction between Harbinger Capital Partners and SkyTerra Communications, while retaining sufficient market-wide MSS capability. The Commission proposes to add co-primary Fixed and Mobile allocations to the 2 GHz band, consistent with the International Table of Allocations. This allocation modification is a precondition for more flexible licensing of terrestrial services within the band. Second, the Commission proposes to apply the Commission's secondary market policies and rules applicable to terrestrial services to all transactions involving the use of MSS bands for terrestrial services to create greater predictability and regulatory parity with bands licensed for terrestrial mobile broadband service. The Commission also requests comment on further steps we can take to increase the value, utilization, innovation, and investment in MSS spectrum generally.

Timetable:

Action	Date	FR Cite
NPRM	07/15/10	75 FR 49871
NPRM Comment Period End.	09/30/10	
R&O	04/06/11	76 FR 31252
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Blaise Scinto, Chief, Broadband Div., WTB, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1380, *Email: blaise.scinto@fcc.gov.*

RIN: 3060–AJ59

350. Improving Spectrum Efficiency Through Flexible Channel Spacing and Bandwidth Utilization for Economic Area-Based 800 MHz Specialized Mobile Radio Licensees (WT Docket Nos. 12–64 and 11–110)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154; 47 U.S.C. 301; 47 U.S.C. 302(a); 47 U.S.C. 303; 47 U.S.C. 307; 47 U.S.C. 308

Abstract: This proceeding was initiated to allow EA-based 800 MHz SMR licensees in 813.5–824/858.5–869 MHz to exceed the channel spacing and bandwidth limitation in section 90.209 of the Commission's rules, subject to conditions.

Timetable:

Action	Date	FR Cite
NPRM	03/29/12	77 FR 18991
NPRM Comment Period End.	04/13/12	
R&O	05/24/12	77 FR 33972
Petition for Recon Public Notice.	08/16/12	77 FR 53163
Petition for Recon PN Comment Period End.	09/27/12	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Luis Zambrano, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7925, *Email: luis.zambrano@fcc.gov.*

RIN: 3060–AJ71

351. Service Rules for Advanced Wireless Services in the 2000–2020 MHz and 2180–2200 MHz Bands

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 153; 47 U.S.C. 154(i); 47 U.S.C. 227; 47 U.S.C. 301; 47 U.S.C. 302; 47 U.S.C. 303; 47 U.S.C. 307; 47 U.S.C. 308; 47 U.S.C. 309; 47 U.S.C. 310; 47 U.S.C. 316; 47 U.S.C. 319; 47 U.S.C. 324; 47 U.S.C. 332; 47 U.S.C. 333

Abstract: In the Report and Order, the Commission increased the Nation's supply of spectrum for mobile broadband by removing unnecessary barriers to flexible use of spectrum currently assigned to the Mobile Satellite Service (MSS) in the 2 GHz band. This action carries out a recommendation in the National Broadband Plan that the Commission enable the provision of standalone terrestrial services in this spectrum. We do so by adopting service, technical, assignment, and licensing rules for this spectrum. These rules are designed to provide for flexible use of this spectrum, encourage innovation and investment in mobile broadband, and provide a stable regulatory environment in which broadband deployment could develop.

Timetable:

Action	Date	FR Cite
NPRM Comment Period End.	04/17/12	
NPRM	04/17/12	77 FR 22720
R&O	05/05/13	78 FR 8229
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Peter Daronco, Deputy Division Chief, Broadband Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7235, *Email: peter.daronco@fcc.gov.*

RIN: 3060–AJ73

352. Promoting Interoperability in the 700 MHz Commercial Spectrum; Requests for Waiver and Extension of Lower 700 MHz Band Interim Construction Benchmark Deadlines (WT Docket Nos. 12–69 & 12–332)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154(i); 47 U.S.C. 154(j); 47 U.S.C. 301; 47 U.S.C. 302(a); 47 U.S.C. 303(b); 47 U.S.C. 303(e); 47 U.S.C. 303(f); 47 U.S.C. 303(g); 47 U.S.C. 303(r); 47 U.S.C. 304; 47 U.S.C. 307(a); 47 U.S.C. 309(j)(3); 47 U.S.C. 316(a)(1); 47 CFR 1.401 *et seq.*

Abstract: In the Report and Order, the Commission took steps to implement an industry solution to provide interoperable Long Term Evolution (LTE) service in the lower 700 MHz band in an efficient and effective manner to improve choice and quality for consumers of mobile services.

Timetable:

Action	Date	FR Cite
NPRM	04/02/12	77 FR 19575
NPRM Comment Period End.	06/01/12	
R&O and Order of Proposed Modification.	11/05/13	78 FR 66298
Order on Modification (Release Date).	01/16/14	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jennifer Salhus, Attorney, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2823, *Email: jsalhus@fcc.gov.*

RIN: 3060–AJ78

353. •Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; Docket No. 12–268

Legal Authority: 47 U.S.C. 309(j)(8)(G); 47 U.S.C. 1452

Abstract: In February 2012, the Middle Class Tax Relief and Job Creation Act was enacted (Pub. L. 112–96, 126 Stat. 156 (2012)). Title VI of that statute, commonly known as the Spectrum Act, provides the Commission with the authority to conduct incentive auctions to meet the growing demand for wireless broadband. Pursuant to the Spectrum Act, the Commission may conduct incentive auctions that will offer new initial spectrum licenses subject to flexible-use service rules on spectrum made available by licensees that voluntarily relinquish some or all of their spectrum usage rights in exchange for a portion, based on the value of the relinquished rights as determined by an auction, of the proceeds of bidding for the new licenses. In addition to granting the Commission general authority to conduct incentive auctions, the Spectrum Act requires the Commission to conduct an incentive auction of broadcast TV spectrum and sets forth special requirements for such an auction.

The incentive auction will consist of a reverse auction'' to determine the amount of compensation that each broadcast television licensee would accept in return for voluntarily relinquishing some or all of its spectrum usage rights and a forward auction'' that will allow mobile broadband providers to bid for licenses in the reallocated spectrum. Broadcast television licensees who elect voluntarily to participate in the auction have three basic options: Voluntarily go off the air, share their spectrum, or move channels in exchange for receiving part of the proceeds from auctioning that spectrum to wireless providers.

In June 2014, the Commission adopted a Report and Order that laid out the broad rules for the incentive auction. Consistent with past practice, in December 2014, a public notice was issued asking for comment specific key components related to implementing the June 2014 Report and Order. The public notice asking for comment will be followed by a public notice with the specific procedures about how to participate in the incentive auction. The start of the Incentive Auction is planned for early 2016.

Timetable:

Action	Date	FR Cite
NPRM	11/21/12	77 FR 69933
NPRM Comment Period End.	03/02/13	
R&O	08/15/14	79 FR 48441
Notice	01/29/15	80 FR 4816
Notice Comment Period End.	03/13/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Rachel Kazan, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1500, *Email: rachel.kazan@fcc.gov.*

RIN: 3060–AJ82

354. Service Rules for Advanced Wireless Services of the Middle Class Tax Relief and Job Creation Act of 2012 Related to the 1915–1920 Mhz and 1995–2000 Mhz Bands (WT Docket No. 12–357)

Legal Authority: 47 U.S.C. 301; 47 U.S.C. 302; 47 U.S.C. 303; 47 U.S.C. 307; 47 U.S.C. 308; 47 U.S.C. 309; 47 U.S.C. 310

Abstract: The Commission proposes rules for the Advanced Wireless Services (AWS) H Block that would make available 10 megahertz of flexible use. The proposal would extend the widely deployed Personal Communications Services (PCS) band, which is used by the four national providers as well as regional and rural providers to offer mobile service across the nation. The additional spectrum for mobile use will help ensure that the

speed, capacity, and ubiquity of the Nation's wireless networks keeps pace with the skyrocketing demand for mobile services.

Today's action is a first step to implement the congressional directive in the Middle Class Tax Relief and Job Creation Act of 2012 (Spectrum Act) to grant new initial licenses for the 1915–1920 MHz and 1995–2000 MHz bands (the Lower H Block and Upper H Block, respectively) through a system of competitive bidding, Â—unless doing so would cause harmful interference to commercial mobile service licenses in the 1930–1985 MHz (PCS downlink) band. The potential for harmful interference to the PCS downlink band relates only to the Lower H Block transmissions, and may be addressed by appropriate technical rules, including reduced power limits on H Block devices. We, therefore, propose to pair and license the Lower H Block and the Upper H Block for flexible use, including mobile broadband, aiming to assign the licenses through competitive bidding in 2013. In the event that we conclude that the Lower H Block cannot be used without causing harmful interference to PCS, we propose to license the Upper H Block for full power, and seek comment on appropriate use for the Lower H Block, including Unlicensed PCS.

Timetable:

Action	Date	FR Cite
NPRM	01/08/13	78 FR 1166
NPRM Comment Period End.	03/06/13	
R&O	08/16/13	78 FR 50213
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Peter Daronco, Deputy Division Chief, Broadband Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7235, *Email: peter.daronco@fcc.gov.*

RIN: 3060–AJ86

355. Amendment of Parts 1, 2, 22, 24, 27, 90 And 95 of the Commission's Rules To Improve Wireless Coverage Through the Use of Signal Boosters (WT Docket No. 10–4)

Legal Authority: 15 U.S.C. 79; 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 154(j); 47 U.S.C. 155; 47 U.S.C. 157; 47 U.S.C. 225; 47 U.S.C. 227; 47 U.S.C. 303(r)

Abstract: This action adopts new technical, operational, and registration requirements for signal boosters. It creates two classes of signal boosters—consumer and industrial—with distinct regulatory requirements for each, thereby establishing a two-step transition process for equipment certification for both consumer and industrial signal boosters sold and marketed in the United States.

Timetable:

Action	Date	FR Cite
NPRM	05/10/11	76 FR 26983
R&O	04/11/13	78 FR 21555
Petition for Reconsideration.	06/06/13	78 FR 34015
Order on Reconsideration.	11/08/14	79 FR 70790
FNPRM	11/28/14	79 FR 70837
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Amanda Huetinck, Attorney Advisor, WTB, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7090, *Email: amanda.huetinck@fcc.gov.*

RIN: 3060–AJ87

356. Amendment of the Commission's Rules Governing Certain Aviation Ground Station Equipment (Squitter) (WT Docket Nos. 10–61 and 09–42)

Legal Authority: 48 Stat 1066, 1082 as amended; 47 U.S.C. 154; 47 U.S.C. 303; 47 U.S.C. 307(e); 47 U.S.C. 151 to 156; 47 U.S.C. 301

Abstract: This action amends part 87 rules to authorize new ground station technologies to promote safety and allow use of frequency 1090 MHz by aeronautical utility mobile stations for airport surface detection equipment (commonly referred to as ''squitters'') to help reduce collisions between aircraft and airport ground vehicles.

Timetable:

Action	Date	FR Cite
NPRM	04/28/10	75 FR 22352
R&O	03/01/13	78 FR 61023
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Tim Maguire, Electronics Engineer, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2155, *Fax:* 202 418–7247, *Email: tim.maguire@fcc.gov.*

RIN: 3060–AJ88

357. Amendment of the Commission's Rules Concerning Commercial Radio Operators (WT Docket No. 10–177)

Legal Authority: 47 U.S.C. 154(i); 47 U.S.C. 303(r); 47 U.S.C. 332(a)2

Abstract: This action amends parts 0, 1, 13, 80, and 87 of the Commission's rules concerning commercial radio operator licenses for maritime and aviation radio stations in order to reduce administrative burdens on the telecom industry.

Timetable:

Action	Date	FR Cite
NPRM	10/29/10	75 FR 66709
R&O	05/29/13	78 FR 32165
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Stanislava Kimball, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1306, *Email: stanislava.kimball@fcc.gov.*

RIN: 3060–AJ91

358. Radiolocation Operations in the 78–81 GHz Band; WT Docket No. 11–202

Legal Authority: 47 U.S.C. 154; 47 U.S.C. 303; 47 U.S.C. 307(e)

Abstract: We amend our rules to permit the certification, licensing, and use of foreign object debris (FOD) detection radar equipment in the 78–81 GHz band. The presence of FOD on airport runways, taxiways, aprons, and ramps poses a significant threat to the safety of air travel. FOD detection radar equipment will be authorized on a licensed basis under part 90 of our rules. Authorization of other potential radiolocation uses of the 78–81 GHz band will be considered in other proceedings.

Timetable:

Action	Date	FR Cite
NPRM	01/11/12	77 FR 1661
R&O	07/26/13	78 FR 45072
NPRM	03/06/15	80 FR 12120
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Tim Maguire, Electronics Engineer, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2155, *Fax:* 202 418–7247, *Email: tim.maguire@fcc.gov.*

RIN: 3060–AK04

359. Amendment of Part 90 of the Commission's Rules To Permit Terrestrial Trunked Radio (TETRA) Technology; WT Docket No. 11–6

Legal Authority: 47 U.S.C. 154(i); 47 U.S.C. 161; 47 U.S.C. 303(g); 47 U.S.C. 303(r); 47 U.S.C. 332(c)(7)

Abstract: We modify our rules to permit the certification and use of Terrestrial Trunked Radio (TETRA) equipment under part 90 of our rules. TETRA is a spectrally efficient digital technology with the potential to provide valuable benefits to land mobile radio users, such as higher security and lower latency than comparable technologies. It does not, however, conform to all of our current part 90 technical rules. In the Notice of Proposed Rule Making and Order (NPRM) in this proceeding, the Commission proposed to amend part 90 to accommodate TETRA technology. We conclude that modifying the part 90 rules to permit the certification and use of TETRA equipment in two bands–the 450–470 MHz portion of the UHF band (421–512 MHz) and Business/Industrial Land Transportation 800 MHz band channels (809–824/854–869 MHz) that are not in the National Public Safety Planning Advisory Committee (NPSPAC) portion of the band–will give private land mobile radio (PLMR) licensees additional equipment alternatives without increasing the potential for interference or other adverse effects on other licensees.

Timetable:

Action	Date	FR Cite
NPRM	05/11/11	76 FR 27296
R&O	10/10/12	77 FR 61535
Order on Reconsideration.	08/09/13	78 FR 48627
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Tim Maguire, Electronics Engineer, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2155, *Fax:* 202 418–7247, *Email: tim.maguire@fcc.gov*.

RIN: 3060–AK05

360. Promoting Technological Solutions To Combat Wireless Contraband Device Use in Correctional Facilities

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154(i); 47 U.S.C. 154(j); 47 U.S.C. 301; 47 U.S.C. 303(a); 47 U.S.C. 303(b); 47 U.S.C. 307; 47 U.S.C. 308; 47 U.S.C. 309; 47 U.S.C. 310; 47 U.S.C. 332

Abstract: In this proceeding, the Commission proposes rules to encourage development of multiple technological solutions to combat the use of contraband wireless devices in correctional facilities nationwide. The Commission proposes to streamline rules governing lease agreement modifications between wireless providers and managed access system operators. It also proposes to require wireless providers to terminate service to a contraband wireless device.

Timetable:

Action	Date	FR Cite
NPRM	06/18/13	78 FR 36469
NPRM Comment Period End.	08/08/13	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Melissa Conway, Attorney Advisor, Wireless Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2887, *Email: melissa.conway@fcc.gov*.

RIN: 3060–AK06

361. 800 MHz Cellular Telecommunications Licensing Reform; Docket No. 12–40

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154(i); 47 U.S.C. 301 to 303; 47 U.S.C. 308; 47 U.S.C. 309(j); 47 U.S.C. 332

Abstract: The proceeding was launched to revisit and update various rules governing licensing for the 800 MHz cellular radiotelephone service. Most notably, the current site-based model for issuing licenses is under review, mindful of the evolution of this commercial wireless mobile service since its inception more than 30 years ago and the licensing models used for newer wireless telecommunications services.

On November 10, 2014, the FCC released a Report and Order (R&O) and a companion Further Notice of Proposed Rulemaking (FNPRM) to revise rules governing the 800 MHz Cellular Service. In the R&O, the FCC eliminated various regulatory requirements and streamlined requirements remaining in place, while retaining Cellular Service licensees' ability to expand into an area that is not yet licensed. In the FNPRM, the FCC proposes and seeks comment on additional Cellular Service reforms of licensing rules and the radiated power rules, to promote flexibility and help foster the deployment of newer technologies such as LTE.

Timetable:

Action	Date	FR Cite
NPRM	03/16/12	77 FR 15665
NPRM Comment Period End.	05/15/12	
NPRM Reply Comment Period End.	06/14/12	
R&O	12/05/14	79 FR 72143
FNPRM	12/22/14	79FR 76268
Final Rule Effective (with 3 exceptions).	01/05/15	
FNPRM Comment Period End.	01/21/15	
FNPRM Reply Comment Period End.	02/20/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Nina Shafran, Attorney Advisor, Wireless Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2781, *Email: nina.shafran@fcc.gov*.

RIN: 3060–AK13

362. • Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies; WT Docket Nos. 13–238, 13–32 and WC Docket No. 11–59

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154(i); 47 U.S.C. 157; 47 U.S.C. 201; 47 U.S.C. 301; 47 U.S.C. 303; 47 U.S.C. 309; 47 U.S.C. 1403; 47 U.S.C. 1422; 42 U.S.C. 4332(c); * * *

Abstract: This rulemaking promotes deployment of wireless infrastructure by adopting and clarifying rules, in an effort to reduce regulatory obstacles and bring efficiency to wireless facilities and construction.

Timetable:

Action	Date	FR Cite
NPRM	12/05/13	78 FR 73144
NPRM Comment Period End.	02/03/14	
FNPRM Reply Comment Period End.	03/05/14	
Final Rule	01/08/15	80 FR 1238
Final Rule Effective.	02/09/15	
Final Rule Effective.	04/08/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Peter Trachtenberg, Deputy Division Chief, SCPD, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th

Street SW., Washington, DC 20554, *Phone:* 202 418–7369, *Email: peter.trachtenberg@fcc.gov*.

RIN: 3060–AK22

363. • Updating Competitive Bidding Rules

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 303(r); 47 U.S.C. 309(j); 47 U.S.C. 316

Abstract: This proceeding was initiated to revise some of the Commission's general part 1 rules governing competitive bidding for spectrum licenses to reflect changes in the marketplace, including the challenges faced by new entrants, as well as to advance the statutory directive to ensure that small businesses, rural telephone companies, and businesses owned by members of minority groups and women are given the opportunity to participate in the provision of spectrum-based services.

Timetable:

Action	Date	FR Cite
NPRM	11/14/14	79 FR 68172
NPRM Comment Period End.	03/06/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Kelly Quinn, Assistant Chief, Auctions and Spectrum Access Division, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0660, Email: *kelly.quinn@fcc.gov*.

RIN: 3060–AK28

FEDERAL COMMUNICATIONS COMMISSION (FCC)

Wireless Telecommunications Bureau

Completed Actions

364. Amendment of the Rules Regarding Maritime Automatic Identification Systems (WT Docket No. 04–344)

Legal Authority: 47 U.S.C. 154; 47 U.S.C. 302(a); 47 U.S.C. 303; 47 U.S.C. 306; 47 U.S.C. 307(e); 47 U.S.C. 332; 47 U.S.C. 154(i); 47 U.S.C. 161

Abstract: This action adopts additional measures for domestic implementation of Automatic Identification Systems (AIS), an advanced marine vessel tracking and navigation technology that significantly can enhance our Nation's homeland security as well as maritime safety.

Timetable:

Action	Date	FR Cite
Final Rule	01/29/09	74 FR 5117
Final Rule Effective.	03/02/09	
Petition for Reconsideration.	04/03/09	74 FR 15271
Final Rule	05/26/11	76 FR 33653
MO&O Terminating Proceeding.	06/09/11	76 FR 33653

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jeff Tobias, Attorney Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0680, *Email: jeff.tobias@fcc.gov*.

RIN: 3060–AJ16

FEDERAL COMMUNICATIONS COMMISSION (FCC)

Wireline Competition Bureau

Long-Term Actions

365. Implementation of the Universal Service Portions of the 1996 Telecommunications Act

Legal Authority: 47 U.S.C. 151 *et seq.*

Abstract: The Telecommunications Act of 1996 expanded the traditional goal of universal service to include increased access to both telecommunications and advanced services such as high-speed Internet for all consumers at just, reasonable and affordable rates. The Act established principles for universal service that specifically focused on increasing access to evolving services for consumers living in rural and insular areas, and for consumers with low-incomes. Additional principles called for increased access to high-speed Internet in the Nation's schools, libraries and rural health care facilities. The FCC established four programs within the Universal Service Fund to implement the statute. The four programs are: Connect America Fund (formally known as High-Cost Support) for rural areas; Lifeline (for low-income consumers), including initiatives to expand phone service for Native Americans; Schools and Libraries (E-rate); and Rural Health Care.

The Universal Service Fund is paid for by contributions from telecommunications carriers, including wireline and wireless companies, and interconnected Voice over Internet Protocol (VoIP) providers, including cable companies that provide voice service, based on an assessment on their interstate and international end-user revenues. The Universal Service Administrative Company, or USAC, administers the four programs and collects monies for the Universal Service Fund under the direction of the FCC.

On October 16, 2014, the Commission released a Public Notice seeking comments on proposed methodology for Connect America Fund recipients to measure and report speed and latency performance to fixed locations.

On December 18, 2014, the Commission released a Report and Order finalizing decisions necessary to proceed to Phase II of the Connect America Fund.

On December 19, 2014, the Commission released a Second E-rate Modernization Order adjusting program rules and support levels in order to meet long-term program goals for high speed connectivity.

On January 30, 2015, the Commission released a Public Notice seeking comment on the Alliance of Rural Broadband applicants petition for limited waiver of certain RBE letter of credit requirements.

On February 4, 2015, the Commission released a Public Notice seeking comments on NTCA's emergency petition for limited waiver of RBE letter of credit bank eligibility requirements.

Timetable:

Action	Date	FR Cite
Recommended Decision Federal-State Joint Board, Universal Service.	11/08/96	61 FR 63778
First R&O	05/08/97	62 FR 32862
Second R&O	05/08/97	62 FR 32862
Order on Reconsideration.	07/10/97	62 FR 40742
R&O and Second Order on Reconsideration.	07/18/97	62 FR 41294
Second R&O, and FNPRM.	08/15/97	62 FR 47404
Third R&O	10/14/97	62 FR 56118
Second Order on Reconsideration.	11/26/97	62 FR 65036
Fourth Order on Reconsideration.	12/30/97	62 FR 2093
Fifth Order on Reconsideration.	06/22/98	63 FR 43088
Fifth R&O	10/28/98	63 FR 63993
Eighth Order on Reconsideration.	11/21/98	
Second Recommended Decision.	11/25/98	63 FR 67837
Thirteenth Order on Reconsideration.	06/09/99	64 FR 30917
FNPRM	06/14/99	64 FR 31780
FNPRM	09/30/99	64 FR 52738

Action	Date	FR Cite
Fourteenth Order on Reconsideration.	11/16/99	64 FR 62120
Fifteenth Order on Reconsideration.	11/30/99	64 FR 66778
Tenth R&O	12/01/99	64 FR 67372
Ninth R&O and Eighteenth Order on Reconsideration.	12/01/99	64 FR 67416
Nineteenth Order on Reconsideration.	12/30/99	64 FR 73427
Twentieth Order on Reconsideration.	05/08/00	65 FR 26513
Public Notice	07/18/00	65 FR 44507
Twelfth R&O, MO&O and FNPRM.	08/04/00	65 FR 47883
FNPRM and Order.	11/09/00	65 FR 67322
FNPRM	01/26/01	66 FR 7867
R&O and Order on Reconsideration.	03/14/01	66 FR 16144
NPRM	05/08/01	66 FR 28718
Order	05/22/01	66 FR 35107
Fourteenth R&O and FNPRM.	05/23/01	66 FR 30080
FNPRM and Order.	01/25/02	67 FR 7327
NPRM	02/15/02	67 FR 9232
NPRM and Order	02/15/02	67 FR 10846
FNPRM and R&O	02/26/02	67 FR 11254
NPRM	04/19/02	67 FR 34653
Order and Second FNPRM.	12/13/02	67 FR 79543
NPRM	02/25/03	68 FR 12020
Public Notice	02/26/03	68 FR 10724
Second R&O and FNPRM.	06/20/03	68 FR 36961
Twenty-Fifth Order on Reconsideration, R&O, Order, and FNPRM.	07/16/03	68 FR 41996
NPRM	07/17/03	68 FR 42333
Order	07/24/03	68 FR 47453
Order	08/06/03	68 FR 46500
Order and Order on Reconsideration.	08/19/03	68 FR 49707
Order on Remand, MO&O, FNPRM.	10/27/03	68 FR 69641
R&O, Order on Reconsideration, FNPRM.	11/17/03	68 FR 74492
R&O, FNPRM	02/26/04	69 FR 13794
R&O, FNPRM	04/29/04	
NPRM	05/14/04	69 FR 3130
NPRM	06/08/04	69 FR 40839
Order	06/28/04	69 FR 48232
Order on Reconsideration & Fourth R&O.	07/30/04	69 FR 55983
Fifth R&O and Order.	08/13/04	69 FR 55097
Order	08/26/04	69 FR 57289
Second FNPRM	09/16/04	69 FR 61334
Order & Order on Reconsideration.	01/10/05	70 FR 10057
Sixth R&O	03/14/05	70 FR 19321
R&O	03/17/05	70 FR 29960
MO&O	03/30/05	70 FR 21779
NPRM & FNPRM	06/14/05	70 FR 41658
Order	10/14/05	70 FR 65850
Order	10/27/05	
NPRM	01/11/06	71 FR 1721
Report Number 2747.	01/12/06	71 FR 2042
Order	02/08/06	71 FR 6485
FNPRM	03/15/06	71 FR 13393
R&O and NPRM	07/10/06	71 FR 38781
Order	01/01/06	71 FR 6485
Order	05/16/06	71 FR 30298
MO&O and FNPRM.	05/16/06	71 FR 29843
R&O	06/27/06	71 FR 38781
Public Notice	08/11/06	71 FR 50420
Order	09/29/06	71 FR 65517
Public Notice	03/12/07	72 FR 36706
Public Notice	03/13/07	72 FR 40816
Public Notice	03/16/07	72 FR 39421
Notice of Inquiry	04/16/07	
NPRM	05/14/07	72 FR 28936
Recommended Decision.	11/20/07	
Order	02/14/08	73 FR 8670
NPRM	03/04/08	73 FR 11580
NPRM	03/04/08	73 FR 11591
R&O	05/05/08	73 FR 11837
Public Notice	07/02/08	73 FR 37882
NPRM	08/19/08	73 FR 48352
Notice of Inquiry	10/14/08	73 FR 60689
Order on Remand, R&O, FNPRM.	11/12/08	73 FR 66821
R&O	05/22/09	74 FR 2395
Order & NPRM	03/24/10	75 FR 10199
R&O and MO&O	04/08/10	75 FR 17872
NOI and NPRM	05/13/10	75 FR 26906
Order and NPRM	05/28/10	75 FR 30024
NPRM	06/09/10	75 FR 32699
NPRM	08/09/10	75 FR 48236
NPRM	09/21/10	75 FR 56494
R&O	12/03/10	75 FR 75393
Order	01/27/11	76 FR 4827
NPRM	03/02/11	76 FR 11407
NPRM	03/02/11	76 FR 11632
NPRM	03/23/11	76 FR 16482
Order and NPRM	06/27/11	76 FR 37307
R&O	12/28/11	76 FR 81562
Order	03/09/12	77 FR 14297
R&O	03/30/12	77 FR 19125
Order	05/23/12	77 FR 30411
3rd Order on Reconsideration.	05/24/12	77 FR 30904
Public Notice	05/31/12	77 FR 32113
FNPRM	06/07/12	77 FR 33896
Public Notice	07/26/12	77 FR 43773
Order	08/30/12	77 FR 52616
Public Notice	02/28/12	77 FR 76345
Public Notice	08/29/12	77 FR 52279
Public Notice	12/12/12	77 FR 74010
5th Order on Reconsideration.	01/17/13	78 FR 3837
Public Notice	02/07/13	78 FR 9020
Public Notice	02/21/13	78 FR 12006
Public Notice	02/22/13	78 FR 12269
Public Notice	03/15/13	78 FR 16456
6th Order on Reconsideration and MO&O.	03/19/13	78 FR 16808
MO&O	05/08/13	78 FR 26705
R&O	05/06/13	78 FR 26269
R&O	06/03/13	78 FR 32991
Public Notice	06/13/13	78 FR 35632
R&O	06/26/13	78 FR 38227
Order on Reconsideration.	08/08/13	78 FR 48622
Order	03/01/13	78 FR 13935
Public Notice	12/19/13	78 FR 76789
Order	02/28/14	79 FR 11366
Public Notice	03/11/14	79 FR 13599
Public Notice	03/17/14	79 FR 17070
Public Notice	04/18/14	79 FR 21924
R&O	05/21/14	79 FR 29111
Order	05/23/14	79 FR 33705
FNPRM	07/09/14	79 FR 39163
R&O	07/31/14	79 FR 44352
R&O	08/19/14	79 FR 49160
Public Notice	11/20/14	79 FR 69091
R&O	01/27/15	80 FR 4446
2nd R&O	02/04/15	80 FR 5961
Public Notice	02/27/15	80 FR 10658
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Nakesha Woodward, Program Support Assistant, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1502, *Email: kesha.woodward@fcc.gov*.

RIN: 3060–AF85

366. 2000 Biennial Regulatory Review—Telecommunications Service Quality Reporting Requirements

Legal Authority: 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 201(b); 47 U.S.C. 303(r); 47 U.S.C. 403

Abstract: The notice of proposed rulemaking (NPRM) proposed to eliminate our current service quality reports (Automated Reporting Management Information System (ARMIS) Report 43–05 and 43–06) and replace them with a more consumer-oriented report. The NPRM proposed to reduce the reporting categories from more than 30 to six, and addressed the needs of carriers, consumers, State public utility commissions, and other interested parties. On February 15, 2005, the Commission adopted an Order that extended the Federal-State Joint Conference on Accounting Issues until March 1, 2007. On September 6, 2008, the Commission adopted a Memorandum Opinion and Order granting conditional forbearance from the ARMIS 43–05 and 43–06 reporting requirements to all carriers that are required to file these reports.

Timetable:

Action	Date	FR Cite
NPRM	12/04/00	65 FR 75657
Order	02/06/02	67 FR 5670
Order	03/22/05	70 FR 14466
MO&O	10/15/08	73 FR 60997

Action	Date	FR Cite
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cathy Zima, Deputy Chief, Industry Analysis Division, WCB, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7380, *Fax:* 202 418–6768, *Email: cathy.zima@fcc.gov*.

RIN: 3060–AH72

367. Access Charge Reform and Universal Service Reform

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 201 to 205; 47 U.S.C. 254; 47 U.S.C. 403

Abstract: On October 11, 2001, the Commission adopted an Order reforming the interstate access charge and universal service support system for rate-of-return incumbent carriers. The Order adopts three principal reforms. First, the Order modifies the interstate access rate structure for small carriers to align it more closely with the manner in which costs are incurred. Second, the Order removes implicit support for universal service from the rate structure and replaces it with explicit, portable support. Third, the Order permits small carriers to continue to set rates based on the authorized rate of return of 11.25 percent. The Order became effective on January 1, 2002, and the support mechanism established by the Order was implemented beginning July 1, 2002. The Commission also adopted a Further Notice of Proposed Rulemaking (FNPRM) seeking additional comment on proposals for incentive regulation, increased pricing flexibility for rate-of-return carriers, and proposed changes to the Commission's ''all-or-nothing'' rule. Comments on the FNPRM were due on February 14, 2002, and reply comments on March 18, 2002. On February 12, 2004, the Commission adopted a Second Report and Order resolving several issues on which the Commission sought comment in the FNPRM. First, the Commission modified the ''all-or-nothing'' rule to permit rate-of-return carriers to bring recently acquired price cap lines back to rate-of-return regulation. Second, the Commission granted rate-of-return carriers the authority immediately to provide geographically de-averaged transport and special access rates, subject to certain limitations. Third, the Commission merged Long Term Support (LTS) with Interstate Common Line Support (ICLS). The Commission also adopted a Second FNPRM seeking comment on two specific plans that propose establishing optional alternative regulation mechanisms for rate-of-return carriers. In conjunction with the consideration of those alternative regulation proposals, the Commission sought comment on modification that would permit a rate-of-return carrier to adopt an alternative regulation plan for some study areas, while retaining rate-of-return regulation for other of its study areas. Comments on the Second FNPRM were due on April 23, 2004, and May 10, 2004.

Timetable:

Action	Date	FR Cite
NPRM	01/25/01	66 FR 7725
NPRM Comment Period End.	02/26/01	
FNPRM	11/30/01	66 FR 59761
FNPRM Comment Period End.	12/31/01	
R&O	11/30/01	66 FR 59719
Second FNPRM	03/23/04	69 FR 13794
Second FNPRM Comment Period End.	04/23/04	
Order	05/06/04	69 FR 25325
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Douglas Slotten, Attorney Advisor, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1572, *Email: douglas.slotten@fcc.gov*.

RIN: 3060–AH74

368. National Exchange Carrier Association Petition

Legal Authority: 47 U.S.C. 151 and 152; 47 U.S.C. 201 and 202; * * *

Abstract: In a Notice of Proposed Rulemaking (NPRM) released on July 19, 2004, the Commission initiated a rulemaking proceeding to examine the proper number of end user common line charges (commonly referred to as subscriber line charges or SLCs) that carriers may assess upon customers that obtain derived channel T–1 service where the customer provides the terminating channelization equipment and upon customers that obtain Primary Rate Interface (PRI) Integrated Service Digital Network (ISDN) service.

Timetable:

Action	Date	FR Cite
NPRM	08/13/04	69 FR 50141
NPRM Comment Period End.	11/12/04	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Douglas Slotten, Attorney Advisor, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1572, *Email: douglas.slotten@fcc.gov*.

RIN: 3060–AI47

369. IP-Enabled Services; WC Docket No. 04–36

Legal Authority: 47 U.S.C. 151 and 152; * * *

Abstract: The notice seeks comment on ways in which the Commission might categorize or regulate IP-enabled services. It poses questions regarding the proper allocation of jurisdiction over each category of IP-enabled service. The notice then requests comment on whether the services comprising each category constitute ''telecommunications services'' or ''information services'' under the definitions set forth in the Act. Finally, noting the Commission's statutory forbearance authority and title I ancillary jurisdiction, the notice describes a number of central regulatory requirements (including, for example, those relating to access charges, universal service, E911, and disability accessibility), and asks which, if any, should apply to each category of IP-enabled services.

Timetable:

Action	Date	FR Cite
NPRM	03/29/04	69 FR 16193
NPRM Comment Period End.	07/14/04	
First R&O	06/03/05	70 FR 37273
Public Notice	06/16/05	70 FR 37403
First R&O Effective.	07/29/05	70 FR 43323
Public Notice	08/31/05	70 FR 51815
R&O	07/10/06	71 FR 38781
R&O and FNPRM	06/08/07	72 FR 31948
FNPRM Comment Period End.	07/09/07	72 FR 31782
R&O	08/06/07	72 FR 43546
Public Notice	08/07/07	72 FR 44136
R&O	08/16/07	72 FR 45908
Public Notice	11/01/07	72 FR 61813
Public Notice	11/01/07	72 FR 61882
Public Notice	12/13/07	72 FR 70808
Public Notice	12/20/07	72 FR 72358
R&O	02/21/08	73 FR 9463
NPRM	02/21/08	73 FR 9507
Order	05/15/08	73 FR 28057
Order	07/29/09	74 FR 37624
R&O	08/07/09	74 FR 39551
Public Notice	10/14/09	74 FR 52808
Announcement of Effective Date.	03/19/10	75 FR 13235
Public Notice	05/20/10	75 FR 28249
Public Notice	06/11/10	75 FR 33303
NPRM, Order, & NOI.	06/19/13	78 FR 36679

Action	Date	FR Cite
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Melissa Kirkel, Attorney Advisor, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7958, *Fax:* 202 418–1413, *Email: melissa.kirkel@fcc.gov*.

RIN: 3060–AI48

370. Establishing Just and Reasonable Rates for Local Exchange Carriers (WC Docket No. 07–135)

Legal Authority: Not Yet Determined

Abstract: The Federal Communications Commission (Commission) is examining whether its existing rules governing the setting of tariffed rates by local exchange carriers (LECs) provide incentives and opportunities for carriers to increase access demand endogenously with the result that the tariff rates are no longer just and reasonable. The Commission tentatively concluded that it must revise its tariff rules so that it can be confident that tariffed rates remain just and reasonable even if a carrier experiences or induces significant increases in access demand. The Commission sought comment on the types of activities that caused increases in interstate access demand and the effects of such demand increases on the cost structures of LECs. The Commission also sought comment on several means of ensuring just and reasonable rates going forward. The NPRM invited comment on potential traffic stimulation by rate-of-return LECs, price cap LECs, and competitive LECs, as well as other forms of intercarrier traffic stimulation. Comments were received on December 17, 2007, and reply comments were received on January 16, 2008. On February 8, 2011, the Commission adopted a Further Notice of Proposed Rulemaking seeking comment on proposed rule revisions to address access stimulation. The Commission sought comment on a proposal to require rate-of-return LECs and competitive LECs to file revised tariffs if they enter into or have existing revenue sharing agreements. The proposed tariff filing requirements vary depending on the type of LEC involved. The Commission also sought comment on other record proposals and on possible rules for addressing access stimulation in the context of intra-MTA call terminations by CMRS providers. Comments were filed on April 1, 2011, and reply comments were filed on April 18, 2011. In the USF/ICC Transformation Order, we defined access stimulation. The access stimulation definition we adopted has two conditions: (1) A revenue sharing condition; and (2) an additional traffic volume condition, which is met where the LEC either; (a) has a three-to-one interstate terminating-to-originating traffic ratio in a calendar month; or (b) has had more than a 100 percent growth in interstate originating and/or terminating switched access minutes of use in a month compared to the same month in the preceding year. If both conditions are satisfied, the LEC generally must file revised tariffs to account for its increased traffic.

Timetable:

Action	Date	FR Cite
NPRM	11/15/07	72 FR 64179
NPRM Comment Period End.	12/17/07	
FNPRM	03/02/11	76 FR 11632
R&O and FNPRM	12/08/11	76 FR 76623
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Douglas Slotten, Attorney Advisor, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street SW., Washington, DC 20554, *Phone*: 202 418–1572, *Email: douglas.slotten@fcc.gov*.

RIN: 3060–AJ02

371. Jurisdictional Separations

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 205; 47 U.S.C. 221(c); 47 U.S.C. 254; 47 U.S.C. 403; 47 U.S.C. 410

Abstract: Jurisdictional separations is the process, pursuant to part 36 of the Commission's rules, by which incumbent local exchange carriers apportion regulated costs between the intrastate and interstate jurisdictions. In 1997, the Commission initiated a proceeding seeking comment on the extent to which legislative changes, technological changes, and market changes warrant comprehensive reform of the separations process. In 2001, the Commission adopted the Federal-State Joint Board on Jurisdictional Separations' recommendation to impose an interim freeze on the part 36 category relationships and jurisdictional cost allocation factors for a period of five years, pending comprehensive reform of the part 36 separations rules. In 2006, the Commission adopted an Order and Further Notice of Proposed Rulemaking, which extended the separations freeze for a period of three years and sought comment on comprehensive reform. In 2009, the Commission adopted a Report and Order extending the separations freeze an additional year to June 2010. In 2010, the Commission adopted a Report and Order extending the separations freeze for an additional year to June 2011. In 2011, the Commission adopted a Report and Order extending the separations freeze for an additional year to June 2012. In 2012, the Commission adopted a Report and Order extending the separations freeze for an additional two years to June 2014. In 2014, the Commission adopted a Report and Order extending the separations freeze for an additional three years to June 2017.

Timetable:

Action	Date	FR Cite
NPRM	11/05/97	62 FR 59842
NPRM Comment Period End.	12/10/97	
Order	06/21/01	66 FR 33202
Order and FNPRM.	05/26/06	71 FR 29882
Order and FNPRM Comment Period End.	08/22/06	
R&O	05/15/09	74 FR 23955
R&O	05/25/10	75 FR 30301
R&O	05/27/11	76 FR 30840
R&O	05/23/12	77 FR 30410
R&O	06/13/14	79 FR 36232
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John Hunter, Attorney-Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1520, *Email: john.hunter@fcc.gov*.

RIN: 3060–AJ06

372. Service Quality, Customer Satisfaction, Infrastructure and Operating Data Gathering (WC Docket Nos. 08–190, 07–139, 07–204, 07–273, 07–21)

Legal Authority: 47 U.S.C. 151 to 155; 47 U.S.C. 160 and 161; 47 U.S.C. 20 to 205; 47 U.S.C. 215; 47 U.S.C. 218 to 220; 47 U.S.C. 251 to 271; 47 U.S.C. 303(r) and 332; 47 U.S.C. 403; 47 U.S.C. 502 and 503

Abstract: This notice of proposed rulemaking (NPRM) tentatively proposes to collect infrastructure and operating data that is tailored in scope to be consistent with Commission objectives from all facilities-based providers of broadband and telecommunications. Similarly, the NPRM also tentatively proposes to

collect data concerning service quality and customer satisfaction from all facilities-based providers of broadband and telecommunications. The NPRM seeks comment on the proposals, on the specific information to be collected, and on the mechanisms for collecting information. On June 27, 2013, the Commission adopted a Report and Order addressing collection of broadband deployment data from facilities-based providers.

Timetable:

Action	Date	FR Cite
NPRM	10/15/08	73 FR 60997
NPRM Comment Period End.	11/14/08	
Reply Comment Period End.	12/15/08	
NPRM	02/28/11	76 FR 12308
NPRM Comment Period End.	03/30/11	
Reply Comment Period End.	04/14/11	
R&O	08/13/13	78 FR 49126
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Cathy Zima, Deputy Chief, Industry Analysis Division, WCB, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7380, *Fax:* 202 418–6768, *Email: cathy.zima@fcc.gov*.

RIN: 3060–AJ14

373. FORM 477; Development of Nationwide Broadband Data To Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans

Legal Authority: 15 U.S.C. 251; 47 U.S.C. 252; 47 U.S.C. 257; 47 U.S.C. 271; 47 U.S.C. 1302; 47 U.S.C. 160(b); 47 U.S.C. 161(a)(2)

Abstract: The Report and Order streamlined and reformed the Commission's Form 477 Data Program, which is the Commission's primary tool to collect data on broadband and telephone services.

Timetable:

Action	Date	FR Cite
NPRM	05/16/07	72 FR 27519
Order	07/02/08	73 FR 37861
Order	10/15/08	73 FR 60997
NPRM	02/08/11	76 FR 10827
Order	06/27/13	78 FR 49126
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Carol Simpson, Deputy Chief, Policy Division, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2391, *Fax:* 202 418–2816, *Email: carol.simpson@fcc.gov*.

RIN: 3060–AJ15

374. Local Number Portability Porting Interval and Validation Requirements (WC Docket No. 07–244)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 154(j); 47 U.S.C. 251; 47 U.S.C. 303(r)

Abstract: In 2007, the Commission released a Notice of Proposed Rulemaking in WC Docket No. 07–244. The Notice sought comment on whether the Commission should adopt rules specifying the length of the porting intervals or other details of the porting process. It also tentatively concluded that the Commission should adopt rules reducing the porting interval for wireline-to-wireline and intermodal simple port requests, specifically, to a 48-hour porting interval.

In the Local Number Portability Porting Interval and Validation Requirements First Report and Order and Further Notice of Proposed Rulemaking, released on May 13, 2009, the Commission reduced the porting interval for simple wireline and simple intermodal port requests, requiring all entities subject to its local number portability (LNP) rules to complete simple wireline-to-wireline and simple intermodal port requests within one business day. In a related Further Notice of Proposed Rulemaking (FNPRM), the Commission sought comment on what further steps, if any, the Commission should take to improve the process of changing providers.

In the LNP Standard Fields Order, released on May 20, 2010, the Commission adopted standardized data fields for simple wireline and intermodal ports. The Order also adopts the NANC's recommendations for porting process provisioning flows and for counting a business day in the context of number porting.

Timetable:

Action	Date	FR Cite
NPRM	02/21/08	73 FR 9507
R&O and FNPRM	07/02/09	74 FR 31630
R&O	06/22/10	75 FR 35305
Public Notice	12/21/11	76 FR 79607
Public Notice	06/06/13	78 FR 34015
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Melissa Kirkel, Attorney Advisor, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–7958, *Fax:* 202 418–1413, *Email: melissa.kirkel@fcc.gov*.

RIN: 3060–AJ32

375. Implementation of Section 224 of the Act; A National Broadband Plan for Our Future (WC Docket No. 07–245, GN Docket No. 09–51)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 154(j); 47 U.S.C. 224

Abstract: In 2010, the Commission released an Order and Further Notice of Proposed Rulemaking that implemented certain pole attachment recommendations of the National Broadband Plan and sought comment regarding others. On April 7, 2011, the Commission adopted a Report and Order and Order on Reconsideration that sets forth a comprehensive regulatory scheme for access to poles, and modifies existing rules for pole attachment rates and enforcement.

Timetable:

Action	Date	FR Cite
NPRM	02/06/08	73 FR 6879
FNPRM	07/15/10	75 FR 41338
Declaratory Ruling	08/03/10	75 FR 45494
R&O	05/09/11	76 FR 26620
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jonathan Reel, Attorney Advisor, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0637, *Email: jonathan.reel@fcc.gov*.

RIN: 3060–AJ64

376. Rural Call Completion; WC Docket No. 13–39

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 201(b); 47 U.S.C. 202(a); 47 U.S.C. 218; 47 U.S.C. 220(a); 47 U.S.C. 257(a); 47 U.S.C. 403

Abstract: The recordkeeping, retention, and reporting requirements in the Report and Order improve the Commission's ability to monitor problems with completing calls to rural areas, and enforce restrictions against blocking, choking, reducing, or restricting calls. The Further Notice of Proposed Rulemaking sought comment on additional measures intended to further ensure reasonable and nondiscriminatory service to rural areas. The Report and Order applies new recordkeeping, retention, and reporting requirements to providers of long-distance voice service that make the

initial long-distance call path choice for more than 100,000 domestic retail subscriber lines which, in most cases, is the calling party's long-distance provider. Covered providers are required to file quarterly reports and retain the call detail records for at least six calendar months. Qualifying providers may certify that they meet a Safe Harbor which reduces their reporting and retention obligations, or seek a waiver of these rules from the Wireline Competition Bureau, in consultation with the Enforcement Bureau. The Report and Order also adopts a rule prohibiting all originating and intermediate providers from causing audible ringing to be sent to the caller before the terminating provider has signaled that the called party is being alerted.

Timetable:

Action	Date	FR Cite
NPRM	04/12/13	78 FR 21891
Public Notice	05/07/13	78 FR 26572
NPRM Comment Period End.	05/28/13	
R&O and FNPRM	12/17/13	78 FR 76218
PRA 60 Day Notice.	12/30/13	78 FR 79448
FNPRM Comment Period End.	02/18/14	
PRA Comments Due.	03/11/14	
Public Notice	05/06/14	79 FR 25682
Order on Reconsideration.	12/10/14	79 FR 73227
Erratum	01/08/15	80 FR 1007
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John Visclosky, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0825, *Email: john.visclosky@fcc.gov.*

RIN: 3060–AJ89

377. Rates for Inmate Calling Services; WC Docket No. 12–375

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i) to (j); 47 U.S.C. 225; 47 U.S.C. 276; 47 U.S.C. 303(r); 47 CFR 64

Abstract: In the Report and Order portion of this document, the Federal Communications Commission adopts rule changes to bring high interstate inmate calling service (ICS) rates into compliance with the statutory mandate of being just, reasonable, and fair. In the Report and Order, the Commission requires that ICS rates be cost-based and concludes that site commission payments are not a cost of providing the ICS service. The Commission addresses ICS rates and adopts both interim safe harbor rates and per-minute interim interstate rate caps. The Commission requires that ancillary service charges be cost-based, and concludes that rates for the use of TTY equipment for the deaf and hard-of-hearing may not be any higher than rates for other ICS services. Finally, the Commission addresses collect-calling only requirements at correctional facilities, requires an annual certification filing, and initiates a mandatory data collection. In the Further Notice portion of the item, the Commission asks a number of questions about the future of ICS rate reform. In the Second Further Notice, the Commission asks additional questions about ICS rate reform including the regulation of intrastate ICS.

Timetable:

Action	Date	FR Cite
NPRM	01/22/13	78 FR 4369
FNPRM	11/13/13	78 FR 68005
R&O	11/13/13	78 FR 67956
FNPRM Comment Period End.	12/20/13	
Announcement of Effective Date.	06/20/14	79 FR 33709
2nd FNPRM	11/21/14	79 FR 69682
2nd FNPRM Comment Period End.	01/15/15	
2nd FNPRM Reply Comment Period End.	01/20/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Lynne H Engledow, Assistant Division Chief, Pricing Policy Division, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1520, *Fax:* 202 418–1567, *Email: lynne.engledow@fcc.gov.*

RIN: 3060–AK08

378. Comprehensive Review of the Part 32 Uniform System of Accounts (WC Docket No. 14–130)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 201(b); 47 U.S.C. 219; 47 U.S.C. 220

Abstract: The Commission initiates a rulemaking proceeding to review the Uniform System of Accounts (USOA) to consider ways to minimize the compliance burdens on incumbent local exchange carriers while ensuring that the agency retains access to the information it needs to fulfill its regulatory duties. n light of the Commission's actions in areas of price cap regulation, universal service reform, and inter-carrier compensation reform, the Commission stated that it is likely appropriate to streamline the existing rules even though those reforms may not have eliminated the need for accounting data for some purposes. The Commission's analysis and proposals are divided into three parts. First, the Commission proposes to streamline the USOA accounting rules while preserving their existing structure. Second, the Commission seeks more focused comment on the accounting requirements needed for price cap carriers to address our statutory and regulatory obligations. Third, the Commission seeks comment on several related issues, including state requirements, rate effects, implementation, continuing property records, and legal authority.

Timetable:

Action	Date	FR Cite
NPRM	09/15/14	79 FR 54942
NPRM Comment Period End.	11/14/14	
NPRM Reply Comment Period End.	12/15/14	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Robin Cohn, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2747, *Email: robin.cohn@fcc.gov.*

RIN: 3060–AK20

379. Protecting and Promoting the Open Internet; (WC Docket No. 14–28)

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 151; 47 U.S.C. 154(i) to (j); 47 U.S.C. 201(b)

Abstract: In January of 2014, the D.C. Circuit in *Verizon* v. *FCC* struck down the no-blocking and no-unreasonable discrimination rules contained in the *2010 Open Internet Order,* invalidating the Commission's attempt to create legally enforceable standards to preserve the open Internet. In response to *Verizon,* in May 2014, the Commission released a Notice of Proposed Rulemaking (*2014 Open Internet NPRM*) that sought comment on a fundamental question: What is the right public policy to ensure that the Internet remains open? After careful review of the record generated by the *2014 Open Internet NPRM,* the Commission issued a combined Report and Order on Remand, Declaratory Ruling, and Order in this proceeding. The Report and Order established bright-line rules banning three specific practices that invariably harm the open Internet: Blocking,

Throttling, and Paid Prioritization, and applied those rules to both fixed and mobile broadband Internet access service. In addition, the Report and Order put in place a general conduct standard to prevent a broadband service provider from unreasonably interfering with or disadvantaging the ability of end users to access content, applications, services or devices offered by edge providers. The Report and Order also strengthened the transparency rules that remained in place following *Verizon.*

In order to provide the best possible legal foundation for these rules, the Commission's Declaratory Ruling reclassified broadband Internet access service as a telecommunications service subject to title II of the Communications Act. Finally, in order to tailor title II to the 21st century broadband ecosystem, the Commission issued an Order forbearing from the majority of title II provisions, leaving in place a light-touch regime that will support regulatory action while simultaneously encouraging broadband investment, innovation, and deployment.

Timetable:

Action	Date	FR Cite
NPRM	07/01/14	79 FR 37448
NPRM Comment Period End.	08/15/14	
NPRM Reply Comment Period End.	09/10/14	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Zachary Ross, Law Clerk, Competiton Policy Division, WCB, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1033, *Email: zachary.ross@fcc.gov*.

RIN: 3060–AK21

380. •Emerging Wireline Networks and Services; GN Docket No 13–5, WC Docket No. 05–25

Legal Authority: 47 U.S.C. 214; 47 U.S.C. 251; * * *

Abstract: This proceeding seeks to strengthen public safety, pro-consumer and pro-competition policies and protections in a manner appropriate for technology transitions that are underway and for networks and services that emerge from those transitions.The Notice of Proposed Rulemaking proposed new rules to ensure reliable backup power for consumers of IP-based voice and data services across networks that provide residential fixed service that substitutes for and improves upon the kind of traditional telephony used by people to dial 911. It also proposed new and revised rules to protect consumers by ensuring they are informed about their choices and the services provided to them when carriers retire legacy facilities (*e.g.,* copper networks) and seek to discontinue legacy services (*e.g.,* basic voice service). Finally, it proposed revised rules to protect competition where it exists today, so that the mere change of a network facility or discontinuance of a legacy service does not deprive small- and medium-size business, schools, libraries, and other enterprises of the ability to choose the kinds of innovative services that best suit their needs.

Timetable:

Action	Date	FR Cite
NPRM	01/06/15	80 FR 450
NPRM Comment Period End.	02/05/15	
NPRM Reply Comment Period End.	03/09/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Michele Levy Berlove, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1477, *Email: michele.berlove@fcc.gov*.

RIN: 3060–AK32

381. •Modernizing Common Carrier Rules, WC Docket No 15–33

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152(a); 47 U.S.C.154(j); 47 U.S.C.154(i); 47 U.S.C.160 to 161; 47 U.S.C. 201 to 205; 47 U.S.C. 214; 47 U.S.C.218 to 221; 47 U.S.C.225 to 228; 47 U.S.C.254; 47 U.S.C.303; 47 U.S.C.308; 47 U.S.C.403; 47 U.S.C.410; 47 U.S.C. 571; 47 U.S.C.1302; 52 U.S.C. 30141

Abstract: The Notice of Proposed Rulemaking (Notice) seeks to update our rules to better reflect current requirements and technology by removing outmoded regulations from the Code of Federal Regulations (CFR). The Notice proposes to update the CFR by (1) eliminating certain rules from which the Commission has forborn, and (2) eliminating references to telegraph service in certain rules. We propose to eliminate several rules from which the Commission has granted unconditional forbearance for all carriers. These are: (1) Section 64.804(c)–(g), which governs a carrier's recordkeeping and other obligations when it extends to federal candidates unsecured credit for communications service; (2) sections 42.4, 42.5, and 42.7, which require carriers to preserve certain records; (3) section 64.301, which requires carriers to provide communications service to foreign governments for international communications; (4) section 64.501, governing telephone companies' obligations when recording telephone conversations; (5) section 64.5001(a)–(c)(2), and (c)(4), which imposes certain reporting and certification requirements for prepaid calling card providers; and (6) section 64.1, governing traffic damage claims for carriers engaged in radio-telegraph, wire-telegraph, or ocean-cable service. We also propose to remove references to telegraph from certain sections of the Commission's rules. This proposal is consistent with Recommendation 5.38 of the Process Reform Report. Specifically, we propose to remove telegraph from: (1) section 36.126 (separations); (2) section 54.706(a)(13) (universal service contributions); and (3) sections 63.60(c), 63.61, 63.62, 63.65(a)(4), 63.500(g), 63.501(g), and 63.504(k) (discontinuance).

Timetable:

Action	Date	FR Cite
NPRM (Release Date).	02/06/15	
Next Action Undetermined.		

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Denise Coca, Assistant Division Chief, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0574, *Email: denise.coca@fcc.gov*.

RIN: 3060–AK33

FEDERAL COMMUNICATIONS COMMISSION (FCC)

Wireline Competition Bureau

Completed Actions

382. Preserving the Open Internet; Broadband Industry Practices

Legal Authority: 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154(i) to (j); 47 U.S.C. 201(b)

Abstract: In 2009, the FCC launched a public process to determine whether and what actions might be necessary to preserve the characteristics that have allowed the Internet to grow into an indispensable platform supporting our Nation's economy and civic life. After receiving input from more than 100,000 individuals and organizations and several public workshops, this process

has made clear that the Internet has thrived because of its freedom and openness—the absence of any gatekeeper blocking lawful uses of the network, or picking winners and losers online. The Open Internet Order builds on the bipartisan Internet Policy Statement the Commission adopted in 2005.

The Order requires that all broadband providers are required to be transparent by disclosing their network management practices, performance, and commercial terms. Fixed providers may not block lawful content, applications, services, or non-harmful devices; they also may not unreasonably discriminate in transmitting lawful network traffic. Mobile providers may not block access to lawful Web sites or applications that compete with their voice or video telephony services. All providers may engage in ''reasonable network management,'' such as managing the network to address congestion or security issues. The rules do not prevent broadband providers from offering specialized services, such as facilities-based VoIP; do not prevent providers from blocking unlawful content or unlawful transfers of content; and do not supersede any obligation or authorization a provider may have to address the needs of emergency communications or law enforcement, public safety, or national security authorities.

In January 2014, the D.C. Circuit in Verizon v. FCC struck down the no-blocking and no-discrimination rules contained in the 2010 Open Internet Order, for the second time invalidating the Commission's attempt to create legally enforceable standards to preserve the open Internet. Consequently, the docket has been closed and a new one opened, WC Docket No. 14–28.

Timetable:

Action	Date	FR Cite
NPRM	11/30/09	74 FR 62638
NPRM Comment Period End.	04/26/10	
Public Notice	09/10/10	75 FR 55297
Comment Period End.	11/04/10	
Order	09/23/11	76 FR 59192
OMB Approval Notice.	09/21/11	76 FR 58512
Rules Effective	11/20/11	
Public Notice Petition for Reconsideration.	11/14/11	76 FR 74721

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: R. Matthew Warner, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2419, *Email: matthew.warner@fcc.gov*.

RIN: 3060–AJ30

383. Electronic Tariff Filing System (WC Docket No. 10–141)

Legal Authority: 47 U.S.C. 151 and 154; 47 U.S.C. 201 to 205; 47 U.S.C. 218 and 222; 47 U.S.C. 225 to 226; 47 U.S.C. 228 and 254; 47 U.S.C. 403

Abstract: Section 402(b)(1)(A)(iii) of the Telecommunications Act of 1996 added section 204(a)(3) to the Communications Act of 1934, as amended, providing for streamlined tariff filings by local exchange carriers. On September 6, 1996, in an effort to meet the goals of the 1996 Act, the Commission released the Tariff Streamlining NPRM, proposing measures to implement the tariff streamlining requirements of section 204(a)(3). Among other suggestions, the Commission proposed requiring LECs to file tariffs electronically. The Commission began implementing the electronic filing of tariffs on January 31, 1997, when it released the Streamlined Tariff Order. On November 17, 1997, the Bureau made this electronic system, known as the Electronic Tariff Filing System (EFTS), available for voluntary filing by incumbent LECs. The Bureau also announced that the use of ETFS would become mandatory for all incumbent LECs in 1998. On May 28, 1998, in the ETFS Order, the Bureau established July 1, 1998, as the date after which incumbent LECs would be required to use ETFS to file tariffs and associated documents. The Commission deferred consideration of establishing mandatory electronic filing for non-incumbent LECs until the conclusion of a proceeding considering the mandatory detariffing of interstate long distance services. On June 9, 2011, the Commission adopted rule revisions to require all tariff filers to file tariffs using ETFS. Carriers were given a 60-day window in order to make their initial filings on ETFS. On October 13, 2011, the Commission announced that all tariff filers should file their initial Base Document and/or Informational Tariff using the ETFS between November 17, 2011, and January 17, 2012. As of January 17, 2012, all carriers are required to use ETFS on a going-forward basis to file their tariff documents.

Timetable:

Action	Date	FR Cite
NPRM	08/11/10	75 FR 48629
NPRM Comment Period End.	09/10/10	
NPRM Reply Comment Period End.	09/27/10	
Report and Order	07/20/11	76 FR 43206

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Pamela Arluk, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1540, Email: *pamela.arluk@fcc.gov*.

RIN: 3060–AJ41

[FR Doc. 2015–14375 Filed 6–17–15; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XXII

Federal Reserve System

Unified Agenda

FEDERAL RESERVE SYSTEM

12 CFR Ch. II

Semiannual Regulatory Flexibility Agenda

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Board is issuing this agenda under the Regulatory Flexibility Act and the Board's Statement of Policy Regarding Expanded Rulemaking Procedures. The Board anticipates having under consideration regulatory matters as indicated below during the period May 1, 2015, through October 31, 2015. The next agenda will be published in fall 2015.

DATES: Comments about the form or content of the agenda may be submitted anytime during the next six months.

ADDRESSES: Comments should be addressed to Robert deV. Frierson, Secretary of the Board, Board of Governors of the Federal Reserve System, Washington, DC 20551.

FOR FURTHER INFORMATION CONTACT: A staff contact for each item is indicated with the regulatory description below.

SUPPLEMENTARY INFORMATION: The Board is publishing its spring 2015 agenda as part of the Spring 2015 Unified Agenda of Federal Regulatory and Deregulatory Actions, which is coordinated by the Office of Management and Budget under Executive Order 12866. The agenda also identifies rules the Board has selected for review under section 610(c) of the Regulatory Flexibility Act, and public comment is invited on those entries. The complete Unified Agenda will be available to the public at the following Web site: *www.reginfo.gov*. Participation by the Board in the Unified Agenda is on a voluntary basis.

The Board's agenda is divided into four sections. The first, pre-rule stage, reports on matters the Board is considering for future rulemaking. The second section, proposed rule stage, reports on matters the Board may consider for public comment during the next 6 months. The third section, final rule stage, reports on matters that have been proposed and are under Board consideration. And a forth section, completed actions, reports on regulatory matters the Board has completed or is not expected to consider further.

A dot (•) preceding an entry indicates a new matter that was not a part of the Board's previous agenda and which the Board has not completed.

Margaret McCloskey Shanks,

Deputy Secretary of the Board.

FEDERAL RESERVE SYSTEM—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
384	Regulation Q—Regulatory Capital Rules: Regulatory Capital, Proposed Rule Demonstrating Application of Common Equity Tier 1 Capital Qualification Criteria (Docket No: R–1506).	7100–AE27
385	Regulation CC—Availability of Funds and Collection of Checks (Docket No: R–1409)	7100–AD68
386	Regulation LL—Savings and Loan Holding Companies and Regulation MM—Mutual Holding Companies (Docket No: R–1429).	7100–AD80

FEDERAL RESERVE SYSTEM—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
387	Regulation HH—Financial Market Utilities (Docket No: R–1477)	7100–AE09
388	Regulation WW—Liquidity Coverage Ratio: Liquidity Risk Measurement, Standards, and Monitoring (Docket No: R–1466).	7100–AE03

FEDERAL RESERVE SYSTEM (FRS)

Proposed Rule Stage

384. • Regulation Q—Regulatory Capital Rules: Regulatory Capital, Proposed Rule Demonstrating Application of Common Equity Tier 1 Capital Qualification Criteria (Docket No: R–1506)

Legal Authority: 12 U.S.C. 321; 12 U.S.C. 322

Abstract: Notice of proposed rulemaking that would illustrate how the Board of Governors of the Federal Reserve System (Board) would apply the common equity tier 1 capital qualification criteria to depository institution holding companies that are organized in forms other than as stock corporations (''proposed rule''). The proposed rule discusses some of the qualification criteria for common equity tier 1 capital under Regulation Q and provides examples of how the Board would apply the criteria in specific situations involving partnerships and limited liability companies. In addition, the proposed rule would amend Regulation Q to address unique issues presented by certain savings and loan holding companies that are trusts and by depository institution holding companies that are employee stock ownership plans.

Timetable:

Action	Date	FR Cite
Board Requested Comment.	12/19/14	79 FR 75759
Board Expects Further Action.	09/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Christine Graham, Counsel, Federal Reserve System, Legal Division, Phone: 202 452–3005.

Mark Buresh, Attorney, Federal Reserve System, Legal Division, Phone: 202 452–5270.

Thomas R. Boemio, Manager, Federal Reserve System, Division of Banking Supervision and Regulation, Phone: 202 452–2982.

RIN: 7100–AE27

385. Regulation CC—Availability of Funds and Collection of Checks (Docket No: R–1409)

Legal Authority: 12 U.S.C. 4001 to 4010; 12 U.S.C. 5001 to 5018

Abstract: The Board of Governors of the Federal Reserve System (the Board) proposed amendments to Regulation CC to facilitate the banking industry's ongoing transition to fully electronic interbank check collection and return, including proposed amendments to condition a depositary bank's right of expeditious return on the depositary bank agreeing to accept returned checks

electronically, either directly or indirectly, from the paying bank. The Board also proposed amendments to the funds availability schedule provisions to reflect the fact that there are no longer any nonlocal checks. The Board proposed to revise the model forms in appendix C that banks may use in disclosing their funds availability policies to their customers and to update the preemption determinations in appendix F. Finally, the Board requested comment on whether it should consider future changes to the regulation to improve the check collection system, such as decreasing the time afforded to a paying bank to decide whether to pay a check in order to reduce the risk to a depositary bank of needing to make funds available for withdrawal before learning whether a deposited check has been returned unpaid.

Timetable:

Action	Date	FR Cite
Board Requested Comments.	03/25/11	76 FR 16862
Board Requested Comment on Revised Proposal.	02/04/14	79 FR 6673
Board Expects Further Action.	05/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Clinton Chen, Attorney, Federal Reserve System, Legal Division, *Phone:* 202 452–3952

RIN: 7100–AD68

386. Regulation LL—Savings and Loan Holding Companies and Regulation MM—Mutual Holding Companies (Docket No: R–1429)

Legal Authority: 5 U.S.C. 552; 5 U.S.C. 559; 5 U.S.C. 1813; 5 U.S.C. 1817; 5 U.S.C. 1828; * * *

Abstract: The Dodd-Frank Act Wall Street Reform and Consumer Protection Act (the Act) transferred responsibility for supervision of Savings and Loan Holding Companies (SLHCs) and their non-depository subsidiaries from the Office of Thrift Supervision (OTS) to the Board of Governors of the Federal Reserve System (Board), on July 21, 2011. The Act also transferred supervisory functions related to Federal savings associations and State savings associations to the Office of the Comptroller of the Currency (OCC) and the Federal Deposit Insurance Corporation (FDIC), respectively. The Board on August 12, 2011, approved an interim final rule for SLHCs, including a request for public comment. The interim final rule transferred from the OTS to the Board the regulations necessary for the Board to supervise SLHCs, with certain technical and substantive modifications. The interim final rule has three components: (1) New Regulation LL (part 238), which sets forth regulations generally governing SLHCs; (2) new Regulation MM (part 239), which sets forth regulations governing SLHCs in mutual form; and (3) technical amendments to existing Board regulations necessary to accommodate the transfer of supervisory authority for SLHCs from the OTS to the Board. The structure of interim final Regulation LL closely follows that of the Board's Regulation Y, which governs bank holding companies, in order to provide an overall structure to rules that were previously found in disparate locations. In many instances, interim final Regulation LL incorporated OTS regulations with only technical modifications to account for the shift in supervisory responsibility from the OTS to the Board. Interim final Regulation LL also reflects statutory changes made by the Dodd-Frank Act with respect to SLHCs, and incorporates Board precedent and practices with respect to applications processing procedures and control issues, among other matters. Interim final Regulation MM organized existing OTS regulations governing SLHCs in mutual form (MHCs) and their subsidiary holding companies into a single part of the Board's regulations. In many instances, interim final Regulation MM incorporated OTS regulations with only technical modifications to account for the shift in supervisory responsibility from the OTS to the Board. Interim final Regulation MM also reflects statutory changes made by the Dodd-Frank Act with respect to MHCs. The interim final rule also made technical amendments to Board rules to facilitate supervision of SLHCs, including to rules implementing Community Reinvestment Act requirements and to Board procedural and administrative rules. In addition, the Board made technical amendments to implement section 312(b)(2)(A) of the Act, which transfers to the Board all rulemaking authority under section 11 of the Home Owner's Loan Act relating to transactions with affiliates and extensions of credit to executive officers, directors, and principal shareholders. These amendments include revisions to parts 215 (Insider Transactions) and part 223 (Transactions with Affiliates) of Board regulations.

Timetable:

Action	Date	FR Cite
Board Requested Comments.	09/13/11	76 FR 56508
Board Expects Further Action.	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: C. Tate Wilson, Counsel, Federal Reserve System, Legal Division, *Phone:* 202 452–3696.

Claudia Von Pervieux, Counsel, Federal Reserve System, Legal Division, *Phone:* 202 452–2552.

RIN: 7100–AD80

FEDERAL RESERVE SYSTEM (FRS)

Completed Actions

387. Regulation HH—Financial Market Utilities (Docket No: R–1477)

Legal Authority: 12 U.S.C. 5464(a)(1)(A)

Abstract: The Board of Governors of the Federal Reserve System (Board) finalized amendments to the risk-management standards currently in the Board's Regulation HH, part 234 of title 12 of the Code of Federal Regulations, by replacing the previous risk-management standards in section 234.3 (for payment systems) and section 234.4 (for central securities depositories and central counterparties) with a common set of risk-management standards applicable to all types of designated FMUs in section 234.3. The Board also finalized related amendments to definitions in section 234.2.

Timetable:

Action	Date	FR Cite
Board Requested Comments.	01/22/14	79 FR 3666
Board Adopted Final Rule.	11/05/14	79 FR 65543
Final Action Effective.	12/31/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Jennifer A. Lucier, Deputy Associate Director, Federal Reserve System, Reserve Bank Operations and Payment Systems, *Phone:* 202 872–7581.

Chris Clubb, Special Counsel, Federal Reserve System, Legal Division, *Phone:* 202 452–3904.

RIN: 7100–AE09

388. Regulation WW—Liquidity Coverage Ratio: Liquidity Risk Measurement, Standards, and Monitoring (Docket No: R–1466)

Legal Authority: 12 U.S.C. 248(a); 12 U.S.C. 321; 12 U.S.C. 481; 12 U.S.C. 1818; * * *

Abstract: The Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System (Board), and the Federal Deposit Insurance Corporation (FDIC), have finalized a rule that implements quantitative liquidity requirements consistent with the liquidity coverage ratio standard established by the Basel Committee on Banking Supervision. The requirement is designed to promote short-term resilience of the liquidity risk profile of internationally active banking organizations thereby improving the banking sectors ability to absorb shocks arising from financial and economic stress, as well as improvements in the measurement of liquidity risk. The rule applies to all internationally active banking organizations generally bank holding companies certain savings and loan holding companies and depository institutions with more than $250 billion in total assets or more than $10 billion in on-balance sheet foreign exposure and to their consolidated subsidiary depository institutions with $10 billion or more in total consolidated assets. The rule became effective January 1, 2015. The Board also finalized on its own a modified liquidity coverage ratio standard that is less stringent than the full LCR by reducing net outflows by 30 percent. The modified LCR applies to bank holding companies and certain savings and loan holding companies that have $50 billion or more in consolidated assets but do not meet the threshold described above. The modified LCR becomes effective January 1, 2016.

Timetable:

Action	Date	FR Cite
Board Requested Comments.	11/29/13	78 FR 71818
Board Adopted Final Rule.	10/10/14	79 FR 61440
Final Action Effective.	01/01/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Dafina Stewart, Counsel, Federal Reserve System, Division of Banking Supervision and Regulation, *Phone:* 202 452–3876.

Connie Horsley, Assistant Director, Federal Reserve System, Division of Banking Supervision and Regulation, *Phone:* 202 452–5239.

Anna Lee Hewko, Deputy Associate Director, Federal Reserve System, Division of Banking Supervision and Regulation, *Phone:* 202 530–6260.

RIN: 7100–AE03

[FR Doc. 2015–14376 Filed 6–17–15; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XXIII

Nuclear Regulatory Commission

Unified Agenda

NUCLEAR REGULATORY COMMISSION

10 CFR Chapter I

[NRC–2015–0071]

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: Nuclear Regulatory Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is publishing its semiannual regulatory agenda (the Agenda) in accordance with Public Law 96–354, ''The Regulatory Flexibility Act,'' and Executive Order 12866, ''Regulatory Planning and Review.'' The Agenda is a compilation of all rulemaking activities on which the NRC has recently completed action or has proposed or is considering action. The NRC has completed 8 rulemaking activities since publication of its last Agenda on December 22, 2014 (79 FR 76855). This issuance of the NRC's Agenda contains 35 active and 23 long-term rulemaking activities: 2 are Economically Significant; 10 represent Other Significant agency priorities; 53 are Substantive, Nonsignificant rulemaking activities; and 1 is an Administrative rulemaking activity. In addition, 3 rulemaking activities impact small entities. The NRC is requesting comment on its rulemaking activities as identified in this Agenda.

DATES: Submit comments on rulemaking activities as identified in this Agenda by July 20, 2015.

ADDRESSES: Submit comments on any rulemaking activity in the Agenda by the date and methods specified in any **Federal Register** notice on the rulemaking activity. Comments received on rulemaking activities for which the comment period has closed will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before the closure dates specified in the **Federal Register** notice. You may submit comments on this Agenda through the Federal Rulemaking Web site by going to *http://www.regulations.gov* and searching for Docket ID NRC–2015–0071. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions on any rulemaking activity listed in the Agenda, contact the individual listed under the heading ''Agency Contact'' for that rulemaking activity.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Cindy Bladey, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: 301–415–3280; email: *Cindy.Bladey@nrc.gov.* Persons outside the Washington, DC, metropolitan area may call, toll-free: 1–800–368–5642. For further information on the substantive content of any rulemaking activity listed in the Agenda, contact the individual listed under the heading ''Agency Contact'' for that rulemaking activity.

SUPPLEMENTARY INFORMATION:

Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2015–0071 when contacting the NRC about the availability of information for this document. You may obtain publically-available information related to this document by any of the following methods:

- Reginfo.gov:
  - For completed rulemaking activities, go to *http://www.reginfo.gov/public/do/eAgendaHistory?showStage=completed* and select Nuclear Regulatory Commission from drop down menu.
  - For active rulemaking activities, go to *http://www.reginfo.gov/public/do/eAgendaMain* and select Nuclear Regulatory Commission from drop down menu.
  - For long-term rulemaking activities go to *http://www.reginfo.gov/public/do/eAgendaHistory?operation=OPERATION_GET_PUBLICATION&showStage=longterm&currentPubId=201410* and select Nuclear Regulatory Commission from drop down menu.
- Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0071.
- NRC's Public Web site: Go to *http://www.nrc.gov/reading-rm/doc-collections/rulemaking-ruleforum/unified-agenda.html* and select spring 2015.
- NRC's Public Document Room: You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC–2015–0071 in your comment submission. The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *http://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

Introduction

The Agenda is a compilation of all rulemaking activities on which an agency has recently completed action or has proposed or is considering action. The Agenda reports rulemaking activities in three major categories: Completed, active, and long-term. Completed rulemaking activities are those that were completed since publication of an agency's last Agenda; active rulemaking activities are those that an agency currently plans to have an Advance Notice of Proposed Rulemaking, a Proposed Rule, or a Final Rule issued within the next 12 months; and long-term rulemaking activities are rulemaking activities under development but for which an agency does not expect to have a regulatory action within the 12 months after publication of the current edition of the Agenda.

A ''Regulation Identifier Number'' or RIN is given to each rulemaking activity that the NRC has published or plans on publishing a **Federal Register** notice and the Office of Management and Budget uses this number to track all relevant documents throughout the entire ''lifecycle'' of a particular rulemaking activity. The NRC reports all rulemaking activities in the Agenda that have been assigned a RIN and meets the definition for a completed, an active, or a long-term rulemaking activity.

The information contained in this Agenda is updated to reflect any action that has occurred on rulemaking activities since publication of the last NRC Agenda on December 22, 2014 (79 FR 76855). Specifically, the information in this Agenda has been updated through March 23, 2015.

The date for the next scheduled action under the heading ''Timetable'' is the

date the next regulatory action for the rulemaking activity is scheduled to be published in the **Federal Register**. The date is considered tentative and is not binding on the Commission or its staff. The Agenda is intended to provide the public early notice and opportunity to participate in the NRC rulemaking process. However, the NRC may consider or act on any rulemaking activity even though it is not included in the Agenda.

Common Prioritization of Rulemaking

A key part of the NRC's regulatory program is an annual review of all ongoing and potential rulemaking activities. In conjunction with its budget and long-term planning process, the NRC compiles a Common Prioritization of Rulemaking (CPR) listing to develop program budget estimates and to determine the relative priority of NRC rulemaking activities. The CPR process considers four factors and assigns a score to each factor. Factor A includes activities that support the NRC's Strategic Plan goals of ensuring the safe and secure use of radioactive materials. Factor B includes activities that support the Strategic Plan cross-cutting strategies of Regulatory Effectiveness and Openness. Specifically, this factor considers whether the rulemaking activity enhances regulatory effectiveness and/or openness in the way that the NRC conducts regulatory activities. Factor C is a governmental factor representing interest to the NRC, Congress, or other governmental bodies. Factor D is an external factor representing interest to members of the public, non-governmental organizations, the nuclear industry, vendors, and suppliers. The overall priority is determined by adding the factor scores together for each rulemaking activity.

Section 610 Periodic Reviews Under the Regulatory Flexibility Act

Section 610 of the Regulatory Flexibility Act (RFA) requires agencies to conduct a review within 10 years of promulgation of those regulations that have or will have a *significant* economic impact on a *substantial* number of small entities. The NRC undertakes these reviews to decide whether the rules should be unchanged, amended, or withdrawn. At this time, the NRC does not have any rules that have a *significant* economic impact on a *substantial* number of small entities; therefore, the NRC has not included any RFA Section 610 periodic reviews in this edition of the Agenda. A complete listing of NRC regulations that impact small entities and related Small Entity Compliance Guides will be available from the NRC's Web site at *http://www.nrc.gov/about-nrc/regulatory/rulemaking/flexibility-act/small-ntities.html.*

Public Comments Received on NRC Unified Agendas

The NRC recently requested public comment on its rulemaking activities as identified in its Agenda and has received comments from the Nuclear Energy Institute (NEI). The NEI commented on the detail provided in the abstract for each rulemaking activity. Specifically, NEI suggested that the NRC: (1) Communicate the rational for determining what rulemaking activities are reported in the Agenda; (2) provide clear and complete target dates for completing a rulemaking activity; (3) provide a status for rulemaking activities that have become dormant; (4) remove rulemaking activities that are no longer being pursued; and (5) include the category of NRC licensee impacted by a particular rulemaking activity.

In addition, NEI commented on the process the NRC uses to prioritize its rulemaking activities. The NEI suggested that the NRC: (1) Use a risk-informed prioritization methodology; (2) consider eliminating CPR Factor B from its methodology; (3) report the scores from its prioritization process in the Agenda for each rulemaking activity; (4) revise its methodology to incorporate review criteria that enables greater discrimination among rulemaking activities; and (5) include cumulative impact in rulemaking plans for Commission approval and in NRC's prioritization methodology.

The NRC actively seeks to improve its rulemaking process and reporting, and is currently engaged in a process improvement initiative that would implement most of NEI's suggestions related to rulemaking reporting. Each year the NRC reviews its methodology for prioritizing rulemaking activities to determine if changes are necessary. The methodology was recently updated to reflect the NRC's Fiscal Year 2014—2018 Strategic Plan (79 FR 55833; September 17, 2014); the NRC will consider NEI's suggestions upon its next review of the prioritization methodology.

Dated at Rockville, Maryland, this 23rd day of March 2015.

For the Nuclear Regulatory Commission.

Cindy Bladey,

Chief, Rules, Announcements, and Directives Branch, Division of Administrative Services, Office of Administration.

NUCLEAR REGULATORY COMMISSION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
389	Variable Annual Fee Structure for Small Modular Power Reactors [NRC–2008–0664]	3150–AI54

NUCLEAR REGULATORY COMMISSION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
390	Revision of Fee Schedules: Fee Recovery for FY 2015 [NRC–2014–0200]	3150–AJ44

NUCLEAR REGULATORY COMMISSION—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
391	Controlling the Disposition of Solid Materials [NRC–1999–0002]	3150–AH18

NUCLEAR REGULATORY COMMISSION (NRC)

Proposed Rule Stage

389. Variable Annual Fee Structure for Small Modular Power Reactors [NRC–2008–0664]

Legal Authority: 42 U.S.C. 2201; 42 U.S.C. 5841

Abstract: The advanced notice of proposed rulemaking (ANPRM) was published in the **Federal Register** on March 25, 2009 (74 FR 12735), seeking comments from the public on a possible variable fee structure for part 171 annual fees for power reactors based on licensed power limits. The comment period ended on June 8, 2009, and the NRC received 16 public comments. The Commission approved the staff's recommendation to establish an NRC workgroup to analyze suggested methodologies for a variable annual fee structure for power reactors in SECY–09–0137 dated October 13, 2009. On February 7, 2011, the Office of the Chief Financial Officer (OCFO) sent a memorandum to the Commission (ADAMS Accession No. ML110380251) responding to SECY–09–0137.

Timetable:

Action	Date	FR Cite
ANPRM	03/25/09	74 FR 12735
ANPRM Comment Period End.	06/08/09	
NPRM	10/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Arlette P. Howard, Nuclear Regulatory Commission, Office of the Chief Financial Officer, Washington, DC 20555–0001, *Phone:* 301 415–1481, *Email: arlette.howard@nrc.gov*.

RIN: 3150–AI54

NUCLEAR REGULATORY COMMISSION (NRC)

Final Rule Stage

390. Revision of Fee Schedules: Fee Recovery for FY 2015 [NRC–2014–0200]

Legal Authority: 42 U.S.C. 2201; 42 U.S.C. 5841

Abstract: This proposed rulemaking would amend the licensing, inspection, and annual fees that the Commission charges its applicants and licensees. These amendments would implement the Omnibus Budget Reconciliation Act of 1990 (OBRA–90) as amended, which requires that the NRC recover approximately 90 percent of its budget authority in Fiscal Year (FY) 2015, less the amounts appropriated from the Waste Incidental to Reprocessing, and generic homeland security activities.

Timetable:

Action	Date	FR Cite
NPRM	03/23/15	80 FR 15476
NPRM Comment Period End.	04/22/15	
Final Rule	06/00/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Arlette P. Howard, Nuclear Regulatory Commission, Office of the Chief Financial Officer, Washington, DC 20555–0001, *Phone:* 301 415–1481, *Email: arlette.howard@nrc.gov*.

RIN: 3150–AJ44

NUCLEAR REGULATORY COMMISSION (NRC)

Long-Term Actions

391. Controlling the Disposition of Solid Materials [NRC–1999–0002]

Legal Authority: 42 U.S.C. 2201; 42 U.S.C. 5841

Abstract: The NRC staff provided a draft proposed rule package on Controlling the Disposition of Solid Materials to the Commission on March 31, 2005, which the Commission disapproved (ADAMS Accession Number: ML051520285). The rulemaking package included a summary of stakeholder comments (NUREG/CR–6682), Supplement 1 (ADAMS Accession Number: ML003754410). The Commission's decision was based on the fact that the Agency is currently faced with several high priority and complex tasks, that the current approach to review specific cases on an individual basis is fully protective of public health and safety, and that the immediate need for this rule has changed due to the shift in timing for reactor decommissioning. The Commission has deferred action on this rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Solomon Sahle, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555–0001, *Phone:* 301 415–3781, *Email: solomon.sahle@nrc.gov*.

RIN: 3150–AH18

[FR Doc. 2015–14377 Filed 6–17–15; 8:45 am]

BILLING CODE 7590–01–P

FEDERAL REGISTER

Vol. 80 Thursday,
No. 117 June 18, 2015

Part XXIV

Securities and Exchange Commission

Unified Agenda

SECURITIES AND EXCHANGE COMMISSION

17 CFR Ch. II

[Release Nos. 33–9740, 34–74275, IA–4052, IC–31510, File No. S7–04–15]

Regulatory Flexibility Agenda

AGENCY: Securities and Exchange Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Securities and Exchange Commission is publishing the chair's agenda of rulemaking actions pursuant to the Regulatory Flexibility Act (RFA) (Pub. L. 96–354, 94 Stat. 1164) (Sep. 19, 1980). The items listed in the Regulatory Flexibility Agenda for spring 2015 reflect only the priorities of the chair of the U.S. Securities and Exchange Commission, and do not necessarily reflect the view and priorities of any individual commissioner.

Information in the agenda was accurate on March 24, 2015, the date on which the Commission's staff completed compilation of the data. To the extent possible, rulemaking actions by the Commission since that date have been reflected in the agenda. The Commission invites questions and public comment on the agenda and on the individual agenda entries.

The Commission is now printing in the **Federal Register**, along with our preamble, only those agenda entries for which we have indicated that preparation of an RFA analysis is required.

The Commission's complete RFA agenda will be available online at *www.reginfo.gov.*

DATES: Comments should be received on or before July 20, 2015.

ADDRESSES: Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/other.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number S7–04–15 on the subject line; or
- Use the Federal eRulemaking Portal (*http://www.regulations.gov*). Follow the instructions for submitting comments.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File No. S7–04–15. This file number should be included on the subject line if email is used. To help us process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/other.shtml*). Comments are also available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

FOR FURTHER INFORMATION CONTACT: Anne Sullivan, Office of the General Counsel, 202–551–5019.

SUPPLEMENTARY INFORMATION: The RFA requires each Federal agency, twice each year, to publish in the **Federal Register** an agenda identifying rules that the Agency expects to consider in the next 12 months that are likely to have a significant economic impact on a substantial number of small entities (5 U.S.C. 602(a)).The RFA specifically provides that publication of the agenda does not preclude an Agency from considering or acting on any matter not included in the agenda and that an agency is not required to consider or act on any matter that is included in the agenda (5 U.S.C. 602(d)). The Commission may consider or act on any matter earlier or later than the estimated date provided on the agenda. While the agenda reflects the current intent to complete a number of rulemakings in the next year, the precise dates for each rulemaking at this point are uncertain. Actions that do not have an estimated date are placed in the long-term category; the Commission may nevertheless act on items in that category within the next 12 months. The agenda includes new entries, entries carried over from prior publications, and rulemaking actions that have been completed (or withdrawn) since publication of the last agenda.

The following abbreviations for the acts administered by the Commission are used in the agenda:

''Securities Act''—Securities Act of 1933

''Exchange Act''—Securities Exchange Act of 1934

''Investment Company Act''—Investment Company Act of 1940

''Investment Advisers Act''—Investment Advisers Act of 1940

''Dodd Frank Act''—Dodd-Frank Wall Street Reform and Consumer Protection Act

''Jobs Act''—Jumpstart Our Business Startups Act

The Commission invites public comment on the agenda and on the individual agenda entries.

By the Commission.

Dated: March 25, 2015.

Brent J. Fields,

Secretary.

DIVISION OF CORPORATION FINANCE—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
392	Rules Governing the Offer and Sale of Securities Through Crowdfunding Under Section 4(a)(6) of the Securities Act.	3235–AL37
393	Amendments to Regulation D, Form D and Rule 156 Under the Securities Act	3235–AL46
394	Changes to Exchange Act Registration Requirements to Implement Title V and Title VI of the JOBS Act	3235–AL40

DIVISION OF CORPORATION FINANCE—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
395	Amendments to Small and Additional Issues Exemptions Under the Securities Act	3235–AL39

DIVISION OF INVESTMENT MANAGEMENT—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
396	Temporary Rule Regarding Principal Trades With Certain Advisory Clients	3235–AL56

DIVISION OF TRADING AND MARKETS—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
397	Removal of Certain References to Credit Ratings Under the Securities Exchange Act of 1934	3235–AL14

SECURITIES AND EXCHANGE COMMISSION (SEC)

Division of Corporation Finance

Final Rule Stage

392. Rules Governing the Offer and Sale of Securities Through Crowdfunding Under Section 4(A)(6) of the Securities Act

Legal Authority: 15 U.S.C. 77a *et seq.;* 15 U.S.C. 78a *et seq.;* Pub. L. 112–108, secs 301 to 305

Abstract: The Commission proposed rules to implement Title III of the JOBS Act by prescribing rules governing the offer and sale of securities through crowdfunding under new section 4(a)(6) of the Securities Act.

Timetable:

Action	Date	FR Cite
NPRM	11/05/13	78 FR 66428
NPRM Comment Period End.	02/03/14	
Final Action	04/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Sebastian Gomez Abero, Division of Corporation Finance, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549, *Phone:* 202 551–3500, Leila Bham, Division of Trading and Markets, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549, *Phone:* 202 551–5532.

RIN: 3235–AL37

393. Amendments to Regulation D, Form D and Rule 156 Under the Securities Act

Legal Authority: 15 U.S.C. 77a *et seq*

Abstract: The Commission proposed rule and form amendments to enhance the Commission's ability to evaluate the development of market practices in offerings under Rule 506 of Regulation D and address concerns that may arise in connection with permitting issuers to engage in general solicitation and general advertising under new paragraph (c) of Rule 506.

Timetable:

Action	Date	FR Cite
NPRM	07/24/13	78 FR 44806
NPRM Comment Period End.	09/23/13	
NPRM Comment Period Re-opened.	10/03/13	78 FR 61222
NPRM Comment Period End.	11/04/13	
Final Action	04/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Charles Kwon, Division of Corporation Finance, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549, *Phone:* 202 551–3500, Ted Yu, Division of Corporation Finance, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549, *Phone:* 202 551–3500.

RIN: 3235–AL46

394. Changes to Exchange Act Registration Requirements To Implement Title V and Title VI of the Jobs Act

Legal Authority: Pub. L. 112–106

Abstract: The Commission proposed amendments to rules to implement Titles V (Private Company Flexibility and Growth) and VI (Capital Expansion) of the JOBS Act.

Timetable:

Action	Date	FR Cite
NPRM	12/30/14	79 FR 78343
NPRM Comment Period End.	03/03/15	
Final Action	04/00/16	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Steven G. Hearne, Division of Corporation Finance, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549, *Phone:* 202 551–3430.

RIN: 3235–AL40

SECURITIES AND EXCHANGE COMMISSION (SEC)

Division of Corporation Finance

Completed Actions

395. Amendments to Small and Additional Issues Exemptions Under the Securities Act

Legal Authority: 15 U.S.C. 77c(b)

Abstract: The Commission adopted rules to implement section 401 of the JOBS Act. Section 401 added section 3(b)(2) to the Securities Act, which directs the Commission to adopt rules exempting from the registration requirements of the Securities Act securities offerings of up to $50 million.

Timetable:

Action	Date	FR Cite
NPRM	01/23/14	79 FR 3926
NPRM Comment Period End.	03/24/14	
Final Action	04/20/15	80 FR 21806
Final Action Effective.	06/19/15	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Zachary Fallon, Division of Corporation Finance, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549, *Phone:* 202 551–3354.

RIN: 3235–AL39

SECURITIES AND EXCHANGE COMMISSION (SEC)

Division of Investment Management

Completed Actions

396. Temporary Rule Regarding Principal Trades With Certain Advisory Clients

Legal Authority: 15 U.S.C. 80b–6a; 15 U.S.C. 80b–11(a)

Abstract: Rule 206(3)–3T, a rule that provides investment advisers who are also registered broker-dealers an alternative means of compliance with

the principal trading restrictions in section 206(3) of the Investment Advisers Act, will expire on December 31, 2014. The Commission adopted a temporary rule to extend that date to December 31, 2016.

Timetable:

Action	Date	FR Cite
NPRM	08/18/14	79 FR 48709
NPRM Comment Period End.	09/17/14	
Final Action	12/23/14	79 FR 76880
Final Action Effective.	12/31/14	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Sarah Buescher, Division of Investment Management, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549, *Phone:* 202 551–5192, *Email: bueschers@sec.gov*.

RIN: 3235–AL56

SECURITIES AND EXCHANGE COMMISSION (SEC)

Division of Trading and Markets

Long-Term Actions

397. Removal of Certain References to Credit Ratings Under the Securities Exchange Act of 1934

Legal Authority: Pub. L. 111–203, sec 939A

Abstract: Section 939A of the Dodd Frank Act requires the Commission to remove certain references to credit ratings from its regulations and to substitute such standards of creditworthiness as the Commission determines to be appropriate. The Commission amended certain rules and one form under the Exchange Act applicable to broker-dealer financial responsibility, and confirmation of transactions. The Commission has not yet finalized amendments to certain rules regarding the distribution of securities.

Timetable:

Action	Date	FR Cite
NPRM	05/06/11	76 FR 26550
NPRM Comment Period End.	07/05/11	
Final Action	01/08/14	79 FR 1522
Final Action Effective.	07/07/14	
Next Action Undetermined.	To Be Determined	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: John Guidroz, Division of Trading and Markets, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549, *Phone:* 202 551–6439, *Email: guidrozj@sec.gov*.

RIN: 3235–AL14

[FR Doc. 2015–14378 Filed 6–17–15; 8:45 am]

BILLING CODE 8011–01–P

Reader Aids

Federal Register

Vol. 80, No. 117

Thursday, June 18, 2015

CUSTOMER SERVICE AND INFORMATION

Federal Register/Code of Federal Regulations

General Information, indexes and other finding aids **202–741–6000**

Laws **741–6000**

Presidential Documents

Executive orders and proclamations **741–6000**

The United States Government Manual **741–6000**

Other Services

Electronic and on-line services (voice) **741–6020**

Privacy Act Compilation **741–6064**

Public Laws Update Service (numbers, dates, etc.) **741–6043**

TTY for the deaf-and-hard-of-hearing **741–6086**

ELECTRONIC RESEARCH

World Wide Web

Full text of the daily Federal Register, CFR and other publications is located at: **www.fdsys.gov.**

Federal Register information and research tools, including Public Inspection List, indexes, and Code of Federal Regulations are located at: **www.ofr.gov.**

E-mail

FEDREGTOC-L (Federal Register Table of Contents LISTSERV) is an open e-mail service that provides subscribers with a digital form of the Federal Register Table of Contents. The digital form of the Federal Register Table of Contents includes HTML and PDF links to the full text of each document.

To join or leave, go to **http://listserv.access.gpo.gov** and select *Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings);* then follow the instructions.

PENS (Public Law Electronic Notification Service) is an e-mail service that notifies subscribers of recently enacted laws.

To subscribe, go to **http://listserv.gsa.gov/archives/publaws-l.html** and select *Join or leave the list (or change settings);* then follow the instructions.

FEDREGTOC-L and **PENS** are mailing lists only. We cannot respond to specific inquiries.

Reference questions. Send questions and comments about the Federal Register system to: **fedreg.info@nara.gov**

The Federal Register staff cannot interpret specific documents or regulations.

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, JUNE

30919–31298 1
31299–31460 2
31461–31830 3
31831–31970 4
31971–32266 5
32267–32438 8
32439–32854 9
32855–33154 10
33155–33396 11
33397–34022 12
34023–34238 15
34239–34530 16
34531–34826 17
34827–35176 18

CFR PARTS AFFECTED DURING JUNE

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.

2 CFR

600 31299
3256 33155

3 CFR

Proclamations:
9288 31821
9289 31823
9290 31825
9291 31827
9292 31829
9293 34529
9294 34823
9295 34825

Administrative Orders:
Memorandums:
Memorandum of May 7, 2015 32849
Notices:
Notice of June 10, 2015 34021
Presidential Determinations:
No. 2015–06 of May 19, 2015 32851
No. 2015–07 of June 3, 2015 32853

5 CFR

Ch. IV 32244

Proposed Rules:
Ch. C 33199
531 30955
532 32042

Proposed Rules:
410 34540
550 34540
551 34540
870 34540

7 CFR

633 32439
930 30919
1980 34827
3201 34023
3202 34030
3550 31971
3560 34531

Proposed Rules:
57 32867
319 30959
925 32043
1211 ..... 32488, 32493
1220 34325
1493 34080

8 CFR

217 32267
293 34239
1003 31461

9 CFR

Proposed Rules:
201 34097

10 CFR

71 33988
72 30924
430 31971

Proposed Rules:
37 33450
50 34559
429 ..... 30962, 31324, 31487
430 ..... 30962, 31324, 31487, 31646, 33030, 34843

12 CFR

4 ..... 31463, 34039
5 ..... 31463, 34039
7 ..... 31463, 34039
14 ..... 31463, 34039
24 ..... 31463, 34039
32 ..... 31463, 34039
34 ..... 31463, 32658, 34039
100 ..... 31463, 34039
116 ..... 31463, 34039
143 ..... 31463, 34039
144 ..... 31463, 34039
145 ..... 31463, 34039
146 ..... 31463, 34039
150 ..... 31463, 34039
152 ..... 31463, 34039
159 ..... 31463, 34039
160 ..... 31463, 34039
161 ..... 31463, 34039
162 ..... 31463, 34039
163 ..... 31463, 34039
174 ..... 31463, 34039
192 ..... 31463, 34039
193 ..... 31463, 34039
208 32658
225 32658
323 32658
390 32658
600 32294
1026 32658
1222 32658

Proposed Rules:
Ch. I 32046
Ch. II 32046
Ch. III 32046

13 CFR

120 34043

14 CFR

23 34242
25 34533
33 32440
39 ..... 30928, 32294, 32441, 32445, 32449, 32451, 32453, 32456, 32458, 32460, 32461, 34244, 34247, 34249, 34252,

34256, 34258, 34262, 34534, 34827, 34831
61.....33397
71.....32464, 33401, 34264
73.....34265
95.....31988
97.....32297, 32299
121.....33397
400.....31831
401.....31831

Proposed Rules:
39.....30963, 31325, 32055, 32058, 32061, 32063, 32066, 32069, 32072, 32315, 32316, 32508, 32510, 33208, 34098, 34101, 34103, 34106, 34326, 34330, 34332, 34335, 34560
61.....34338
71.....32074, 34109, 34855
91.....34346
141.....34338
440.....34110

15 CFR

740.....34266
742.....34266
744.....31834
752.....34266
774.....34266
902.....32465
922.....34047

Proposed Rules:
734.....31505
740.....31505
750.....31505
764.....31505
772.....31505
774.....34562

17 CFR

14.....32855
200.....31836
230.....31836
232.....31836
239.....31836
240.....31836
249.....31836
260.....31836

Proposed Rules:
32.....31326
200.....33590
210.....33590
230.....33590
232.....33590
239.....33590
240.....33590
249.....33590
270.....33590
274.....33590
275.....33590
279.....33590

20 CFR

404.....31990, 34048
416.....31990

21 CFR

73.....31466, 32303
172.....34274
510.....34276
514.....31708
520.....34276
522.....34276
526.....34276
528.....34276
558.....31708
870.....32307
876.....30931
895.....31299

Proposed Rules:
15.....32868
558.....31520
1308.....31521

22 CFR

135.....31299
145.....31299

Proposed Rules:
96.....32869
120.....31525
121.....34572
123.....31525
125.....31525
127.....31525

23 CFR

Proposed Rules:
625.....31327

24 CFR

Ch. IX.....33157

Proposed Rules:
91.....31538
576.....31538
888.....31332

25 CFR

502.....31991
513.....31991
514.....31991
516.....31991
522.....31991
531.....31991
533.....31991
535.....31991
556.....31991
559.....31991
571.....31991
573.....31991
575.....31991
580.....31991

26 CFR

1.....31837, 31995, 31996, 33402, 34051
20.....34279
25.....34279
54.....34292
602.....34279

Proposed Rules:
1.....33211, 33451, 33452, 34111, 34856
301.....33211

27 CFR

Proposed Rules:
9.....34857, 34864

28 CFR

0.....31998
16.....34051
552.....32000

Proposed Rules:
2.....34111

29 CFR

1611.....34538
2590.....34292
4022.....34052
4044.....34052

Proposed Rules:
2509.....34869
2510.....34869
2550.....34869

30 CFR

Proposed Rules:
250.....31560, 34113
917.....33456

31 CFR

515.....34053
596.....34053

Proposed Rules:
1.....31336

32 CFR

706.....32002

33 CFR

100.....32466
117.....30934, 31300, 31466, 31467, 32312, 32467, 34055, 34315, 34833
165.....30934, 30935, 30936, 31300, 31467, 31843, 32312, 32313, 32467, 32468, 33412, 34056, 34058, 34061, 34316

Proposed Rules:
100.....32512
105.....32512
165.....32318, 32321

34 CFR

Subtitle A.....32210, 34202
222.....33157

Proposed Rules:
Ch. III.....34579

37 CFR

2.....33170
7.....33170
42.....34318

38 CFR

2.....34834
36.....34318

Proposed Rules:
4.....32513
17.....34794
51.....34794
52.....34794

39 CFR

601.....31844
955.....31303

40 CFR

9.....32003
52.....30939, 30941, 31305, 31844, 32017, 32019, 32026, 32469, 32472, 32474, 33191, 33192, 33195, 33413, 33418, 33840, 34063, 34538, 34835
62.....32474
63.....31470
81.....32474
98.....33425
180.....31481, 32029, 32034, 34065, 34070
721.....32003

Proposed Rules:
52.....30965, 30974, 30984, 31338, 31867, 32078, 32324, 32522, 32870, 32874, 33222, 33223, 33458, 33460
80.....31870, 33100
82.....33460
97.....30988
228.....34871
271.....31338
435.....31342
721.....32879
745.....31871

41 CFR

51–6.....32038

42 CFR

8.....34837
413.....31485
425.....32692

Proposed Rules:
10.....34583
88.....32333
431.....31098
433.....31098
438.....31098
440.....31098
457.....31098
495.....31098

43 CFR

Proposed Rules:
3100.....31560

44 CFR

64.....31847

Proposed Rules:
67.....32334, 32335, 32336, 32337

45 CFR

1.....34838
147.....34292
153.....33198
170.....32477
1155.....33155

47 CFR

0.....33425
1.....33425
2.....33425
4.....34321
15.....33425
64.....32857
68.....33425

Proposed Rules:
1.....34119
2.....34119
4.....34350
64.....32885
90.....34119
95.....34119
96.....34119

48 CFR

216.....34078
217.....34078
225.....31309
227.....34079
231.....34324
237.....34324
1602.....32859
1615.....32859
1652.....32859

Proposed Rules:
1.....32909
2.....31561, 32909
5.....31561
7.....31561
8.....31561

10.....31561
12.....31561
15.....31561, 32909
16.....31561
19.....31561, 32909
52.....31561, 32909
517.....34126
552.....34126

49 CFR

10.....32039
385.....34839
389.....32861
1510.....31850

Proposed Rules:

393.....34588
800.....34874

50 CFR

17.....34500
218.....31310
300.....32313
622 .....30947, 32478, 34538
635.....32040, 32478
648 .....31864, 32480, 34841
660 .....31486, 31858, 32465
665.....31863
679.....32866
697.....32487

Proposed Rules:

17 .....30990, 31875, 32922, 34594, 34595
20.....33223
32.....33342
218.....31738
223.....34594
224.....34594
622.....31880
635.....33467
648.....31343, 31347
660.....31884

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 Printing 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.

S. 1568/P.L. 114–25
To extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes. (June 15, 2015; 129 Stat. 317)
Last List June 16, 2015

Public Laws Electronic Notification Service (PENS)

PENS is a free electronic mail notification service of newly enacted public laws. To subscribe, go to *http://listserv.gsa.gov/archives/publaws-l.html*

Note: This service is strictly for E-mail notification of new laws. The text of laws is not available through this service. **PENS** cannot respond to specific inquiries sent to this address.